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# THE INDIAN ANNUAL REGISTER

JULY—DECEMBER 1938

## TABLE OF CONTENTS

### CHRONICLE OF EVENTS

July 1938	...	...	1
August 1938	...	...	5
September 1938	...	...	11
October 1938	...	...	16
November 1938	...	...	22
December 1938	...	...	27

### INDIA IN HOME POLITY

INTRODUCTION	...	...	33
Period of Disillusionment	...	...	33
Psychology of Disillusionment	...	...	33
C. P. & Berar Ministerial crisis	...	...	34
Background of the crisis	...	...	35
How Dr. Khare's mind was working	...	...	36
Governor politically unwise	...	...	36
Democratic Methods Derided	...	...	37
Tacit compact between the British Govt. & Congress	...	...	37
Internal democracy—external autocracy	...	...	38
Non-violence—The Safety valve	...	...	38
Discipline may end in authoritarianism	...	...	38
Discipline and fight against Imperialism	...	...	39
The light that came from the West	...	...	40
Napoleon's Contribution to Revolution	...	...	41
Era of Capital-Imperialist expansion	...	...	41
World Plan of Universal Discipline	...	...	42
Power in hands of the Proletariat	...	...	42
Material Decline leading to doubts and questionings	...	...	42
Betrayal of the Heritage of the war	...	...	43
Servitude of nations avenged	...	...	43
Loss of faith in political leadership	...	...	44
Break-down of influences that unite	...	...	44
Two Federations—Muslim & Non-Muslim	...	...	45
Millet "Religion-nation" Idea	...	...	46
Muslim prayers based on Dar-ul-harab idea	...	...	46
This is the seat of trouble	...	...	47
Constitutional Changes & Communalism	...	...	47

Movements expressive of separatist ambitions	...	47
"Islam and Hinduism stand asunder"	... ..	48
Safe-guards are a denial of unity	... ..	49
New States for the Muslim Zones	... ..	50
Assurances of security of personal and cultural interests	...	51
Invalidate Dr. Latif's argument	... ..	51
A hot-house product	... ..	52
Provincialism or Linguistic nationalism	... ..	52
Bengalee-Bharee Problem	... ..	53
Government services—seed plots of the controversy	... ..	54
Dangers of Provincial discrimination—American Experience	...	54
Inter-provincial migrations	... ..	55
Dispersion of peoples	... ..	55
Earnings of Bengalees & Biharees	... ..	56
An all-India Problem	... ..	57
Indians Abroad—the injustices they suffer from	... ..	57
Indians in Ceylon	... ..	58
In Burma	... ..	59
Fear of economic & social subjection	... ..	59
Causes of growing interest in defence	... ..	60
For a stock-taking of defence arrangements	... ..	61
Problem of defence—Indian participation	... ..	62
Present Recruitment policy challenged	... ..	63
"Semi-feudal idea" in recruitment	... ..	64
Vested interest of the Punjab	... ..	64
Indian initiative in military affairs	... ..	64 (a)
Measures for agrarian relief	... ..	64 (a)
Helplessness of Peasants	... ..	64 (b)
Industrial Disputes	... ..	64 (c)
State control of life	... ..	64 (c)
Indian Christians and New India	... ..	64 (d)
Synthesis of cultures	... ..	64 (d)
All-India Women's Conference	... ..	64 (e)
Spirit of a new leadership	... ..	64 (e)
Through Struggle to Realisation	... ..	64 (f)

#### THE COUNCIL OF STATE

##### BUDGET SESSION—NEW DELHI—14TH. FEB. TO 8TH. APRIL 1938

Mechanisation of Army	... ..	65
Railway Budget and Rebate	... ..	65
Non-Official Resolutions	... ..	65
Right of Putting Suppl. Questions	... ..	66
Military Manoeuvres Bill	... ..	66
Building Industry Workers' Safety	... ..	66
Opposition Walk-out	... ..	67
Central & Defence Expenditure	... ..	67
Indo-British Trade Agreement	... ..	69
Child Marriage Restraint Amend. Bill	... ..	69
Development of Air & Sea Forces Urged	... ..	69
Reduction of Defence Expenditure	... ..	70

Civil Appeals to Federal Court	...	...	71
Government Services & Posts	...	...	71
Railway Surcharge of Coal	...	...	71
Protest Against Finance Bill	...	...	72
Two Official Bills Passed	...	...	73
Trade Disputes Act Amendment Bill	...	...	73
Official Bills Passed	...	...	74
Child Marriage Restraint Bill	...	...	74

#### SEPTEMBER SESSION—SIMLA—6TH. TO 22ND. SEPT. 1938

Legislative Control of Defence Policy	...	...	75
Anti-Recruitment Bill	...	...	76
Statement on Burma Riots	...	...	77
Increase of Pay in British Army	...	...	78
Representation on West Indies Commission Urged	...	...	78
Hindu Women's Right to Property	...	...	79
Recruitment in Defence Force	...	...	79
Bihta Railway Disaster	...	...	80
Two Bills Introduced	...	...	81
Emigration Bill Passed	...	...	81

#### THE INDIAN LEGISLATIVE ASSEMBLY

##### AUTUMN SESSION—SIMLA—8TH. AUG. TO 20TH. SEPT. 1938.

Superintendent of Insurances	...	...	82
Additional Defence Expenditure	...	...	83
Coastal Traffic Control Bill	...	...	83
Affairs of Broadcasting Dept.	...	...	83
Bihta Railway Disaster	...	...	84
Anti-Recruitment Bill	...	...	85
Motor Vehicles Bill	...	88,89,92,96,97	
Muslim Women's Divorce Bill	...	89,100	
Indianisation of Army	...	...	91
President's Ruling	...	...	91
Atrocities in Burma—Adj. Motion	...	...	91
Control of Military Expenditure	...	...	96
Unassisted Emigration Bill	...	...	99
Cruelty to Animals Bill	...	...	100
Employers' Liability Bill	...	...	100
Children's Employment Bill	...	...	100
Aircraft Act Amendment Bill	...	...	100
Tea Cess Amendment Bill	...	...	100

##### SPECIAL SESSION—NEW DELHI—10TH NOV. TO 12TH. DEC. 1938

Public Accounts Committee Report	...	...	101
Kemal Pasha's Death	...	...	101
Municipal Franchise in Ajmer and Merwara	...	...	101
Phooka Bill Passed	...	...	101
Protection of Inventions and Designs	...	...	101
Taxation of Railway Property	...	...	102
Income-Tax Bill Debate	...	102,105,108,	
Maulana Shaikat Ali's Death	...	...	105

Denunciation of Anti-Indian Memoria	...	...	108
Agreement on Changes in Bill	...	...	109
The Wheat Bill	...	...	116
Hindu Women's Divorce Bill	...	...	116

#### THE BENGAL LEGISLATIVE ASSEMBLY

##### AUTUMN SESSION—CALCUTTA—29TH. JULY TO 25TH. AUGUST 1938

Adjournment Motions	...	...	117
Supplementary Estimates	...	...	117
Repealing and Amending Bill	...	...	117
Tenancy Bill Returned by Governor	...	...	117
No-Confidence Motions	...	...	118
Tenancy Bill Amendments Passed	...	...	118
Co-operative Societies Bill	...	...	118
The Money-Lenders' Bill	...	...	118
No-Confidence Motion on Ministers	...	...	118
Alleged Purchase of Votes	...	...	119
No-Confidence on Labour Minister	...	...	120
Supplementary Grants Voted	...	...	123
The Dentists' Bill	...	...	123
Breeze in the House	...	...	124
Maternity and Tanks Improvement Bills	...	...	124
Discussion of Non-official Bills	...	...	124
Compulsory Free Retirement of Govt. Officials	...	...	124
Compulsory Primary Education	...	...	125
Communal Percentage in Service	...	...	125

#### THE BENGAL LEGISLATIVE COUNCIL

##### AUTUMN SESSION—CALCUTTA—8TH. AUGUST. TO 23RD. AUGUST 1938.

Adjournment Motions	...	...	125
Appointment of Committees	...	...	126
Extra Grant for Moslem Education	...	...	126
Tenancy Act Amend. Bill	...	...	126, 134
Apology Demanded from Editors	...	...	127
Representation in Public Bodies	...	...	127
Measure for Rural Relief	...	...	127
Official Receiver's Bill	...	...	127
Conferring of Titles	...	...	127
Publicity Grant Opposed	...	...	127
Discussion of Swan Committee Report	...	...	128
Non-Official Bills	...	...	128
Appointment of Governors	...	...	128

#### THE U. P. LEGISLATIVE ASSEMBLY

##### AUTUMN SESSION—LUCKNOW—1ST. AUG. TO 10TH. AUGUST 1938.

Adjournment Motions	...	...	129
Bills Introduced and Passed	...	...	129
Compulsory Vaccination in Rural Areas	...	...	129
Pay of Constables and Peons	...	...	129
Recognition of Trade Unions	...	...	129

Debtors' Relief Bill	...	130
Court Fees and Stamp Amend. Bills	...	130, 131, 134
Stay of Proceedings Amend Bill	...	131
WINTER SESSION—LUCKNOW—17TH, OCT. TO 21ST. DECEMBER 1938.		
Enquiry into Tanda Firing	...	131
Melas Bill	...	132
The U. P. Tenancy Bill	...	132
Trades Disputes Bill	...	132
Decrees Postponement Amend. Bill	...	132
Rent and Revenue Relief Bill	...	134
JOINT SESSION OF THE LEGISLATURE 1ST. TO 5TH DECEMBER '38		
Stamp & Court Fees Amendment Bills	...	134
The Tenancy Bill Debate	...	136
THE U. P. LEGISLATIVE COUNCIL		
AUTUMN SESSION—LUCKNOW—29TH. AUGUST TO 1ST. SEPTEMBER '38		
Removal of corruptions	...	140
Stamp and Court Fees Bills	...	140
Demand for Ayurvedic College	...	141
Govt. Loans Payable to Local Bodies	...	141
Privileges of Members	...	141
Employment Statistics	...	141
Bills Passed	...	142
SPECIAL SESSION—29TH. NOV. TO 5TH. DECEMBER '38		
Increase in Sugarcane Cess	...	142
Bills Passed by the Assembly in 1937	...	143
Bills Passed by the Council in 1937	...	143
Bills Passed by the Assembly in 1938	...	144
Bills Passed by the Council in 1938	...	145
Resolutions Passed by the Council in '38	...	145
THE BOMBAY LEGISLATIVE ASSEMBLY		
AUTUMN SESSION—POONA—17TH. AUGUST TO 1ST. NOVEMBER '38		
Draft Rules of Procedure	146, 148, 150	
Cotton Ginning and Land Acquisition Bills	...	147
Village Panchayats Amend. Bill	...	148
The Trades Disputes Bill	151, 152, 156, 159	
Insult to Congress Flag	...	151
Lathi Charge on Bombay Workers	...	151
Confiscated Lands Bill	...	155
The Medical Practitioners' Bill	157, 159	
Non-Official Bills	...	158
Propaganda of Birth Control	...	158
Bombay Nurses Act	...	158
Return of Securities	...	158
Protection of Indigenous Products	...	158
Removal of Bar on Indian Advocates	...	158
Local Boards & Durgs Control Bills	...	158

Aid to Indigenous Enterprises	...	...	159
-------------------------------	-----	-----	-----

# THE BOMBAY LEGISLATIVE COUNCIL

## AUTUMN SESSION—POONA—19TH. SEPT. TO 17TH. NOV. '38

Rules of Procedure of Council	...	...	159
Official Bills and Resolutions	...	...	160
Arrest of Peaceful Picketers	...	...	160
Colonisation of Jews in Kenya	...	...	160
Films on India	...	...	160
The Confiscated Lands Bill	...	...	160
The Trades Disputes Bill	...	...	161
Medical Practitioners' Bill	...	...	161
Acts Passed by the Bombay Legislature in 1937-38	...	...	161

# THE MADRAS LEGISLATIVE ASSEMBLY

## AUGUST SESSION—MADRAS—15TH. AUG. TO 19TH. AUST 1938

Speaker Cancels European Tour	...	...	163
Indian Lunacy Act Amend. Bill	...	...	163
Medical Registration Amend. Bill	...	...	163
Madras Estates Land Amend Bill	...	...	163
Prisons Act Amendment Bill	...	...	163
Land Mortgage Bank Act	...	...	164
Famine Relief Fund Bill	...	...	164
Repealing and Amending Bill	...	...	164
Prohibition Act Amend. Bill	...	...	164
Borstal Schools Amend Bill	...	...	165
Local Boards Amend Bill	...	...	165
The Minor Ports Fund Bill	...	...	165
Malabar Temple-Entry Bill	...	...	165
Removal of Civil Disabilities of Harijans	...	...	165
Criminal Law Acts Repeal Bill	...	...	166
Burma Riots Deplored	...	...	166
Anti-Hindi Agitation and Repression	...	...	166

## WINTER SESSION—MADRAS—28TH. NOV. TO 12TH DEC. 1938

The Public Health Bill	...	...	167,169
Prohibition Act Amending Bill	...	...	167
Regulation of Drugs and Medicines	...	...	167
The Minor Ports Bill	...	...	167,168
The Malabar Temple-Entry Bill	...	...	168
Plea for Military Training	...	...	168

# THE MADRAS LEGISLATIVE COUNCIL

## AUGUST SESSION—MADRAS 15TH—TO 19TH. AUGUST 1938

Indian Succession Amendment Bill	...	...	169
Enquiry into Land Revenue System	...	...	169
Guarantee to Land Mortgage Bank Debentures	...	...	169
Religious Endowment Bill	...	...	169
Lunacy Act Amendment Bill	...	...	170
Medical Registration Amend. Bill	...	...	170
Other Bills Passed	...	...	170

Local Boards Act Amendment Bill	...	...	170
DECEMBER SESSION—MADRAS—12TH. DEC. TO 14TH. DEC. 1938.			
Civil Disabilities Removal Bill	...	...	170
Prohibition Act Amend. Bill	...	...	170
Dt. Municipalities & Local Boards Amend Bill	...	...	171
Malabar Temple Entry Bill	...	...	171
The Minor Ports Fund Bill	...	...	171
Succession Act Amendment Bill	...	...	171
Reduction of Land Revenue	...	...	171

#### THE BEHAR LEGISLATIVE ASSEMBLY

##### AUTUMN SESSION—PATNA—25TH. JULY TO 23RD. AUGUST 1938.

Adj. Motions on Communal Discord	...	...	172
The Tenancy Act Amend. Bill	...	...	172, 173
Members' Salaries Bill	...	...	172
The Champaran Agrarian Amend. Bill	...	...	172
Bakashat Lands Restoration Bill	...	...	172, 175
Supplementary Tenancy Amend Bill	...	...	173
Adj. Motions on Communal Discord	...	...	173, 174
Money-Lenders' Amend Bill	...	...	175
Supplementary Budget Demands	...	...	175

#### THE BEHAR LEGISLATIVE COUNCIL

##### AUTUMN SESSION—PATNA—4TH. JULY TO 24TH. AUGUST '38

The Prohibition Amend. Bill	...	...	176
The Members' Salaries Bill	...	...	176
The Champaran Agrarian Amend. Bill	...	...	176
Restoration of Bakasht Bill	...	...	177
The Tenancy Amendment Bill	...	...	177
Acts Passed by the Behar Legislature in 1937-38			178

#### THE ASSAM LEGISLATIVE ASSEMBLY

##### AUTUMN SESSION—SHILLONG—5TH. TO 19TH. SEPTEMBER 1938

Sylhet Tenancy Amend. Bill	...	...	180
Goalpara Tenancy Amend. Bill	...	...	180, 181
Postponement of Decrees Bill	...	...	180
Other Bills	...	...	180
Nomination to Local Boards	...	...	180
Renewal of Tenders	...	...	180
Local Self-Government Amendment Bills	...	...	180
Question of Privileges	...	...	181
No-Confidence in the Ministry	...	...	181
The Ministry Resigns	...	...	181
Congress Coalition Ministry Formed	...	...	183

##### WINTER SESSION—SHILLONG—1ST. TO 9TH. DECEMBER '38

No-Confidence Motion Withdrawn	...	...	183
Adjournment Motions Ruled Out	...	...	183
Disposal of Bills	...	...	184
Pay Fixation for School Teachers	...	...	184

Release of Political Prisoners	...	...	184
Constitution of Industrial Board	...	...	184
No-Confidence in Ministry	...	...	184, 185
Ministers' Salaries Bill	...	...	184
Remission of Land Revenue	...	...	185

#### THE ASSAM LEGISLATIVE COUNCIL.

##### AUGUST SESSION—SHILLONG—29TH AUGUST TO 3RD. SEPT. 1938

The Moneylenders' Amend Bill	...	...	186, 187
Debt Conciliation Amend Bill	...	...	186
The Sylhet Town Land Tenancy Bill	...	...	186, 187
Revision of Domicile Rules	...	...	186
Change of Holidays	...	...	186
Supplementary Demands	...	...	186
Prisoners' Probational Release Bill	...	...	187, 188
Pattadars' Right on Religious Endowments	...	...	187
Partial Holiday in Ramzan	...	...	187
Flood Menace in Assam	...	...	187
Renewal of Disqualifications Bill	...	...	187

#### THE PUNJAB LEGISLATIVE ASSEMBLY

##### SUMMER SESSION—SIMLA—21ST JUNE TO 22ND. JULY 1938.

Official Bills and Resolutions	...	...	189
Restitution of Mortgaged Lands Bill	...	...	189, 192, 196, 197
Lyallpur Municipality Nomination	...	...	189
Moneylenders' Registration Bill	...	...	189, 192, 193, 195
Mischievous Statements' Suppression Bill	...	...	189
Hindu Wife's Right of Separation Bill	...	...	190
Abolition of Chahi Rates	...	...	190
Representation in Tariff Board	...	...	190
Motor Traffic Offences Bill	...	...	191
Language in the Legislatures	...	...	191
Punjab Alienation Amend. Bill	...	...	191
Land Alienation (3rd Amend.) Bill	...	...	193, 197
Anti-Benami Transactions Bill	...	...	195
Land Alienation Amend. Bill	...	...	196
Police Lathi Charge in Lyallpur District	...	...	196

##### WINTER SESSION—LAHORE—10TH. NOV. TO 2ND. DECEMBER '38

Adjournment Motions	...	...	197
Famine in Hissar	...	...	198
Official Business	...	...	198
Drugs Control	...	...	198
Multan Communal Clash and After	...	...	198
Electricity and Gurdwara Bills	...	...	198
Agricultural Products Markets Bill	...	...	199
Lathi Charge at Ajnala	...	...	199
Discharge of Panchayat Officers	...	...	200
Supplementary Demands for Grants	...	...	200
Land Alienation (4th. Amend.) Bill	...	...	200
Agricultural Produce Markets Bill	...	...	201

Non-Official Bills Introduced	...	...	201
Reduction in Water Rates	...	...	202
Acts Passed by the Punjab Assembly in 1937-38	...	...	202

## THE C. P. &amp; BERAR LEGISLATIVE ASSEMBLY

## AUTUMN SESSION—NAGPUR—15TH. SEPT. TO 1ST. OCT. '38

Adjournment Motions	...	...	203
'Holi' Riot in Jubbulpore	...	...	204
Muslims & Vidyamandir Scheme	...	...	204
Primary Education Bill	...	...	204
Dr. Khare on His Resignation	...	...	204
Vidyamandir Scheme—Muslim Walk-out	...	...	205
Mr. Deshmukh on His Resignation	...	...	206
Disabilities of Harijans Bill	...	...	207
Nagpur University Amend Bill	...	...	208
Demand for a Maharashtra Province	...	...	208, 209
Harijan Nomination to Local Bodies	...	...	208
Urdu as Recognised Language	...	...	209

## THE N. W. F. P. LEGISLATIVE ASSEMBLY

## AUTUMN SESSION—PESHAWAR—3RD. TO 22ND. NOVEMBER 1938.

Debtors' Relief Bill	...	...	210, 212, 214
Stopping of Address to Zafar Ali	...	...	210
The Bannu Raid	...	...	210
Three Bills Passed	...	...	211
Dissolution of Marriage Bill	...	...	211
Frontier Tenancy Amend Bill	...	...	211
Liberty of the Press	...	...	211
Language in the Legislature	...	...	211
Control of Drugs	...	...	212
Non-Official Resolutions	...	...	212
Frontier Primary Education Bill	...	...	213
Artificial Ghee Colorisation Bill	...	...	213
The Bannu Raid Victims	...	...	213
Agricultural Produce Markets Bill	...	...	214

## THE ORISSA LEGISLATIVE ASSEMBLY

## AUTUMN SESSION—CUTTACK—29TH. AUG. TO 9TH. SEPT. 1938

Official Resolutions Passed	...	...	215
Reorganisation of Secretariat	...	...	215
The Moneylenders' Bill	...	...	215, 216
Famine Fund Amend Bill	...	...	216
Religious Endowments Bill	...	...	216
Orissa Industrial Development	...	...	216
Orissa Prohibition Scheme	...	...	217
Supplementary Demands	...	...	217
Food Adulteration Control Bill	...	...	217
Agency Arcas in Orissa	...	...	218
Acts Passed by the Orissa Assembly in 1937-38	...	...	218

## PROVINCIAL GOVERNMENTS AT WORK

ACTIVITIES OF THE BENGAL GOVERNMENT	...	219
Revenue Commission	...	219
Tenancy Act Amendment	...	220
Mitigation of Certificate Procedure Hardship	...	220
Relief to Agricultural Debtors	...	221
Reorganisation of Co-operative Dept.	...	221
Primary Education	...	221
Retrenchment	...	222
Resuscitating Rural Waterways	...	222
Larger Irrigation Projects	...	222
Public Health & Rural Sanitation	...	222
Repeal of Tobacco Tax	...	223
Release of Political Prisoners	...	223
ACTIVITIES OF THE PUNJAB GOVERNMENT 1937-38	...	223
ACTIVITIES OF THE MADRAS GOVERNMENT	...	229
Civil Liberty	...	230
Prohibition	...	230
Relief of Rural Indebtedness	...	230
Famine Relief	...	230
Irrigation and Electricity	...	230
Other Measures	...	231
Cottage Industries	...	231
Labour	...	231
Harijan Uplift	...	231
Educational Reform	...	231
Public Health	...	232
Village Uplift	...	232
Prison Reform	...	232
ACTIVITIES OF THE BOMBAY GOVERNMENT	...	233
Civil Liberty	...	233
Bans Removed—Laws Repealed	...	234
Forfeited Lands Bill	...	234
Remissions and Revisions	...	234
Education	...	234
Vocational Training	...	234
Prohibition Scheme	...	235
Medical Relief	...	235
Labour	...	235
Police	...	236
Local Self-Government	...	236
Other Measures	...	236
ACTIVITIES OF THE U. P. GOVERNMENT	...	237
Rural Reconstruction	...	237
Economy Measures	...	238
Anti-Corruption Drive	...	238
Other Measures	...	238
Rural Indebtedness	...	238

Cottage Industry	...	239
Labour Welfare	...	240
Education	...	240
Basic Training College	...	240
Women's Training Class	...	240
University Reorganisation	...	240
Adult Schools	...	240
Depressed Class Education	...	241
Female Education	...	241
ACTIVITIES OF THE ORISSA GOVERNMENT	...	242
Pay and Allowances	...	242
Land Revenue & Remission	...	243
Bethi & Beggary	...	243
...	...	243
Activities	...	244
...	...	245
In ... es	...	245
Self Manufacture	...	245
Harijans & Hill Tribes	...	245
Prohibition	...	246
Retrenchment	...	246
ACTIVITIES OF THE BEHAR GOVERNMENT	...	246
Agrarian Problems	...	245
Transfer of Occupancy Holdings	...	247
Restoration of Lands	...	247
Prohibition Scheme	...	247
Economic Benefit	...	248
Civil Liberty and Political Prisoners	...	248
Mat. Education	...	248
Industrial Development	...	249
Industrial Planning	...	249
Har Uplift	...	250
ACTIVITIES OF THE C. P. GOVERNMENT	...	250
Anti-Corruption Drive	...	251
Local Self Government	...	252
Medical and Public Health	...	252
Commerce and Industry	...	252
Vidyamaudir Scheme	...	253
Adult Schools	...	253
Physical Uplift Scheme	...	253
Harijans and Aborigines	...	253
Rural Uplift	...	254
Economy Move	...	254
Better Relation	...	254
ACTIVITIES OF THE ASSAM GOVERNMENT	...	255
Congress Programme	...	256
Economy Move	...	256

ACTIVITIES OF THE N. W. F. PR. GOVERNMENT	...	256
Relief to Peasantry	...	257
Kohat Loan	...	257
Local Self-Government	...	257
Indebted Agricultural Relief Act	...	258
Village Communications	...	258
Medical Relief	...	258
Industrialisation of Province	...	258
Education	...	258
THE INDIAN NATIONAL CONGRESS		
PROCEEDINGS OF THE WORKING COMMITTEE	...	259
Wardha—23rd. July to 27th. July 1938	...	259
Minutes	...	
The Andhra, Kerala, and Karnatak Deputation	...	
Provincial Quota	...	
Complaints about Local Bodies	...	
Settlement in Connection with Dry Fruit Trade	...	259
Late Shri Raja Rau	...	259
Expert Committee	...	260
Bihari-Bengali Controversy	...	260
Deputation of Vaid and Homeopaths	...	60
Indian States	...	60
Coorg	...	261
Sikar	...	261
Presidents of Local Bodies and Party Discipline	...	261
The C. P. Ministerial Crisis	...	261
Resolution	...	263
Statement by the Parliamentary Sub-Committee	...	264
Gandhiji's Statement	...	267
Congress President Attacked by Muslim Leaguers	...	269
The President's Tour	...	271
Pandit Jawaharlal in Europe	...	271
Repression	...	272
In Bengal	...	272
Madras	...	274
N. W. F. Pr.	...	274
Punjab	...	274
Sind	...	276
United Provinces	...	276
THE ALL-INDIA CONGRESS COMMITTEE		
DELHI—24TH. SEPTEMBER TO 26TH. SEPTEMBER 1938		276
The C. P. Ministerial Crisis	...	276
Federation	...	276
Indian States	...	277
Palestine	...	278
Rurra Riots	...	278
War Danger	...	278

Repression in Bugti	...	278
Civil Liberty	...	278
RESOLUTIONS BY MEMBERS OF THE A.I.C.C.	...	279
Hindustani	...	279
Congress-Muslim League Negotiations	...	279
Behari-Bengali Controversy	...	279
THE WORKING COMMITTEE PROCEEDINGS		
DELHI—22ND. SEPTEMBER TO 2ND. OCTOBER 1938	...	279
Minutes	...	280
Budget for Year 1938-39	...	280
Wafdist Invitation	...	280
Last Date of Enrolment	...	280
Proceeds of the Membership Fee	...	280
Nagpur P. C. C. Office	...	280
Punjab Dispute	...	280
Audit of Accounts	...	281
C. P. Ministerial Crisis	...	281
War Danger	...	282
Czechoslovakia	...	282
Interference in Administration	...	282
Constitution Committee Report	...	282
Powers of the Parliamentary Sub-Committee	...	282
Bannu Raids	...	284
Dr. Ashraf's Resolution on Hindustani	...	284
Correspondence with the Muslim League	...	284
THE CONSTITUTION COMMITTEE REPORT	...	286
INDUSTRIES MINISTERS' CONFERENCE		
Delhi—2nd. and 3rd. October, 1938	...	288
President's Opening Address	...	288
THE ASSAM MINISTERIAL CRISIS	...	292
GANDHI JAYANTI	...	293
UNCERTIFIED KHADI	...	293
ARRESTS, IMPRISONMENTS, SEARCHES ETC.	...	293
In Punjab	...	293
„ Delhi	...	295
„ Bengal	...	295
„ Travancore State	...	296
„ Mysore State	...	296
„ Nilgiri State	...	297
„ Alwar State	...	297
„ Keonjhar State	...	297
„ Despalla State	...	297
„ Kashmir State	...	297
„ Kalsia State	...	297
„ Nabha State	...	298

„ Udaipur State	...	...	298
„ Hyderabad State	...	...	298
<b>THE WORKING COMMITTEE PROCEEDINGS</b>			
WARDHA—11TH. DEC. TO. 16TH. DEC. 1938	...	...	298
Supplementary Budget	...	...	298
Next Congress Session—Date	...	...	299
Late Maulana Shaukat Ali	...	...	299
Indian State	...	...	299
Congress Membership	...	...	299
Congress and Communal Organisations	...	...	300
Ratio	...	...	301
Palestine	...	...	301
Independence Day	...	...	301
Representation of Muslims in Congress Committees	...	...	302
Changes in Provincial Constitutions	...	...	302
Congress and Muslim League	...	...	302
Fund Created from Excess Allowance in Non-Congress Prov.	...	...	303
Sri Pattabhi for Ceylon	...	...	303
The President's Tour	...	...	303
Congress Ministry in Assam	...	...	303
The Planning Committee	...	...	303
The Indian States	...	...	304
<b>ARRESTS AND SEARCHES ETC.</b>	...	...	308
In Punjab	...	...	308
„ Bengal	...	...	310
„ Hyderabad	...	...	311
„ Cochin	...	...	311
„ Rajkot	...	...	311
„ Travancore	...	...	312
„ Dhenkanal State	...	...	312
„ Talchar State	...	...	312
„ Indore State	...	...	312
„ Baroda State	...	...	312
<b>THE ALL INDIA HINDU MAHASABHA</b>			
20TH. SESSION—NAGPUR—28TH. DECEMBER 1938	...	...	313
THE WELCOME ADDRESS	...	...	316
THE PRESIDENTIAL ADDRESS	...	...	316
A Peep into our History	...	...	319
The Hindu Nation is an organic growth	...	...	320
The Rise of the Concept of an Indian Nation	...	...	321
The Birth of Indian National Congress	...	...	323
The Ideal of Indian Nationalism a noble one	...	...	323
The Latest Cases of the Sudetan Germans and Ulsterists	...	...	325
Indian Nationalism is Communalism in Relation to Humanity	...	...	325
Hindu Nationalists should not be Apologetic being called	...	...	326
Hindu Communalists	...	...	326
Let the Hindu Sanghathan Boycott the Congress	...	...	331

From a solid Hindu Nationalist Front	...	...	333
RESOLUTIONS ON	...	...	335
Condolence	...	...	335
Fundamental Rights	...	...	335
Hyderabad (Aryan Name Bhaganagar)	...	...	335
Army and its Constitution etc	...	...	336
Akharas, Military Schools and Volunteer Corps	...	...	337
Federation	...	...	337
Hindu National Parliamentary Board	...	...	337
Congress and Hindu Mahasabha	...	...	338
Communal Award	...	...	338
Abduction of Hindu Women & Children	...	...	338
Music Before Mosque	...	...	338
Social Legislation Against Hindus	...	...	338
Cow Protection	...	...	339
Shudhi Movement	...	...	339
Raids on the Frontier	...	...	339
National Language & Script	...	...	339
Indian States	...	...	340
Travancore	...	...	340
Bhopal Repression	...	...	340
Delhi Shiva Mandir	...	...	340
Hindu Swadeshi	...	...	340
Assam Immigration	...	...	341
Assam Hill Tribes	...	...	341
Homage to Martyrs & Heroes	...	...	341
Rustication of Hyderabad Students	...	...	341
Pollution of Sacred Rivers	...	...	341
Burmese Riots	...	...	341
Policy of the Punjab Government	...	...	341
THE ALL INDIA MUSLIM LEAGUE			
26TH. SESSION—PATNA—26TH. DEC.—29TH. DEC. 1938			342
THE WELCOME ADDRESS	...	...	343
THE PRESIDENTIAL ADDRESS	...	...	344
Congress Policy in States	...	...	345
RESOLUTIONS—2ND. DEC—27TH. DECEMBER 1938	...	...	346
Direct Action by Muslims	...	...	346
THIRD DAY—PATNA—28TH. DECEMBER	...	...	348
The Palestine Situation	...	...	348
Women and the League	...	...	349
League's Office-Bearers	...	...	349
Resolution on States	...	...	349
Amendments to League Constitution	...	...	350
Resolution on Federation	...	...	350
FOURTH DAY—PATNA—29TH. DECEMBER 1938	...	...	351
The Burma Riots	...	...	351

Frontier Policy Criticised	...	...	351
<b>THE SIND MUSLIM LEAGUE CONFERENCE</b>			
WELCOME ADDRESS—KARACHI—8TH. OCTOBER 1938	...	...	352
THE PRESIDENTIAL ADDRESS	...	...	353
Bengal Premier's Address	...	...	355
Punjab Premier's Speech	...	...	355
RESOLUTIONS—KARACHI—10TH. OCT. '38	...	...	356
Bengal Premier's Speech	...	...	356
MINISTRY TANGLE—KARACHI—12TH. OCT. '38	...	...	357
Jinnah's Concluding Speech—13th. October	...	...	357
Mr. Jinnah's Charge	...	...	358
Premier's Rejoinder	...	...	358
<b>NATIONAL LIBERAL FEDERATION</b>			
20TH. SESSION—Bombay—30TH. DEC. '38	...	...	359
The Welcome Address	...	...	359
Federation	...	...	361
The Cult of Communism	...	...	362
The Presidential Address	...	...	363
RESOLUTIONS—2ND. DAY—BOMBAY—31ST. DEC. 1938	...	...	377
Federal Constitution	...	...	377
Provincial Autonomy	...	...	377
Indian States	...	...	377
Economic Development	...	...	378
Defence of India	...	...	378
Indians in Diplomatic Corps	...	...	378
Indians Overseas	...	...	378
Other Resolutions	...	...	378
<b>THE JUSTICE PARTY CONFERENCE</b>			
(THE SOUTH INDIA LIBERAL FEDERATION)			
FOURTEENTH SESSION—MADRAS—29TH. DEC. 1938	...	...	379
The Presidential Address	...	...	379
RESOLUTIONS—2ND. DAY—MADRAS—30TH. DEC. 1938	...	...	382
Reforms in Cochin	...	...	382
Congress Policy Attacked	...	...	382
Exploitation of States	...	...	382
Re-forming of Madras Army	...	...	382
Land Revenue	...	...	383
Wardha Scheme	...	...	383
Workers' Aspirations	...	...	383
Bombay Trades Bill	...	...	383
Objective of the Federation	...	...	383
Attack in the Madras Ministry	...	...	383
Other Resolutions	...	...	383

## THE INDIAN CHRISTIAN CONFERENCE

TWENTY THIRD SESSION—MADRAS—30TH. DECEMBER 1938	384
Presidential Address	384
RESOLUTIONS—SECOND DAY—MADRAS—31ST. DECEMBER 1938	390
Object of the Conference	390
Support for Prohibition	390
Contact with Congress High Command	390
Removal of Illiteracy	391
Communal Problem	391
Demand to Amend Marriage Act	391
Rural Christian Communities	392
Constitution of Christian Federation	392

## THE ALL INDIA WOMENS' CONFERENCE

THIRTEENTH SESSION—NEW DELHI—28TH. DEC. 1938	392
RESOLUTIONS—2ND. DAY—NEW DELHI—29TH. DEC. 1938	394
Faith in Non-Violence	394
RESOLUTIONS—3RD. DAY—NEW DELHI—1ST. JAN. 1939	395
Women to Discuss Politics	395
Sex Education for Children	396
Right of Divorce for Women	396
Resolution on Labour	396

## THE LAND-HOLDERS' CONFERENCE

THE ALL-INDIA LAND-HOLDERS' CONFERENCE	397
THE AGRA ZAMINDARS' CONFERENCE	399
Chairman's Address	399
Presidential Address	399
Resolution—Organisation of Zamindars	400
Class War	400
'Sir' Rights	400
Suggested Amendments	401
Proposed Enhancement of Land Revenue	402
THE U. P. ZAMINDARS' CONFERENCE	402
Resolutions—2nd. Day—Allahabad—11th. July 1938	407
THE UNAO ZAMINDARS' CONFERENCE	409
THE U. P. ZAMINDARS' CONFERENCE	409
THE PUNJAB ZAMINDARS' CONFERENCE	409
Resolutions	410
THE POONA LANDHOLDERS' CONFERENCE	411

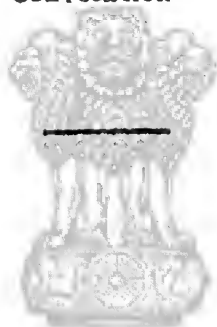
## PROVINCIAL POLITICAL CONFERENCES

THE TAMIL NAD PROV. CONFERENCE	412
Welcome Address	412
President's Address	413
Resolutions—2nd. Day—Rajapalayam—31st. December 1938	414

Federation Opposed	...	...	414
Responsible Government in State	...	...	414
Famine Relief and Remission	...	...	414
New Sources of Revenue	...	...	414
Tamil as Medium of Instruction	...	...	414
Anti-Hindustani Agitation	...	...	415
Temple-entry	...	...	415
School for Volunteers	...	...	415
• Madrasees and the Army	...	...	415
THE U. P. POLITICAL CONFERENCE	...	...	415
Presidential Address	...	...	416
Resolutions—Agrarian Problem	...	...	419
RESOLUTIONS—2ND. DAY—AYODHA—31ST. DECEMBER 1938			419
Federation Opposed	...	...	419
Ministry Congratulated	...	...	420
British Foreign Policy	...	...	420
War Danger	...	...	420
China	...	...	420
Spain	...	...	420
Prohibition	...	...	421
Provincial Administration	...	...	421
Censorship and Ban of Books	...	...	421
National Volunteers	...	...	421
Indian States	...	...	421
THE N. W. FRONTIER POLITICAL CONFERENCE	...	...	422
Resolutions	...	...	422
REVIEW OF TRADE OF INDIA IN 1937-38	...	...	423
The cultivator bears the brunt	...	...	423
Raw Cotton	...	...	423
Jute	...	...	424
Oilseeds	...	...	424
Wheat and Rice	...	...	424
Industrial Conditions	...	...	424
Tea	...	...	425
Balance of Trade	...	...	425
THE ASSOCIATED CHAMBERS OF COMMERCE:			
ANNUAL SESSION—CALCUTTA—19TH. DECEMBER 1938			
Presidential Address	...	...	425
The Viceroy's Opening Address	...	...	426
India and Burma	...	...	426
Anglo-American Agreement	...	...	426
Issue of Federation	...	...	426
Personal Contact with Secretary of State	...	...	427
Revised Draft Instrument to Princes	...	...	427
Unity of India	...	...	427

Reactions of Public Opinion	...	...	428
Fuller political Life for India	...	...	428
Economic Significance of Federation	...	...	428
Provincial Autonomy	...	...	428
Federal Scheme	...	...	428
Indian States	...	...	430
Working of Provincial Autonomy a touch-stone	...	...	430
Resolutions—High Level of Taxation	...	...	431
Difference in Provincial Legislation	...	...	431
Various Resolutions Adopted	...	...	431
RESOLUTIONS—2ND. DAY—CALCUTTA—20TH. DEC. 1938			431
Marine Insurance	...	...	432
THE ALL-INDIA MEDICAL CONFERENCE			
15th. Session—Meerut—27th. December 1938			
Mrs. Pandit's Opening Speech	...	...	432
Presidential Address	...	...	433
Resolutions	...	...	434
EDUCATIONAL PROGRESS IN INDIA			
THE ALL INDIA EDUCATIONAL CONFERENCE			
14TH. SESSION—BOMBAY—27TH. DECEMBER 1938	...		435
Mr. Kher's Opening Speech	...	...	435
Mr. Chandravarkar on Examinations	...	...	435
Presidential Address	...	...	436
Resolutions	...	...	437
ALL INDIA MUSLIM EDUCATIONAL CONFERENCE			
51st. Session—PATNA—1ST. OCTOBER 1938			
Presidential Address	...	...	437
Resolutions	...	...	438
THE ALL INDIA MUSLIM STUDENTS' CONFERENCE			
Mr. Jinnah's Opening Speech	...	...	439
Presidential Address	...	...	440
THE U. P. STUDENTS' CONFERENCE			
Second Session—Allahabad—29th October 1938	...		440
Mr. K. F. Nariman's Address	...	...	440
Mr. Subhas Bose's Message	...	...	441
THE MYSORE STUDENTS' CONFERENCE			
Presidential Address	...	...	442
Resolutions	...	...	446
THE PUNJAB MUSLIM EDUCATIONAL CONFERENCE	...		446
THE CONVOCATION ADDRESSES			
The Dacca University Convocation	...	...	447

The Madras University Convocation ...	...	450
The Bombay University Convocation ...	...	457
The Mysore University Convocation ...	...	460
The Annamalai University Convocation ...	...	464
The Agra University Convocation ...	....	467
The Patna University Convocation ...	...	475
The Andhra University Convocation ...	...	478
The Muslim University Convocation ...	...	482
The Rangoon University Convocation ...	...	490
The Lucknow University Convocation ...	...	493
The Nagpur University Convocation ...	...	496
The Osmania University Convocation ...	...	506
The Benares University Convocation ...	...	510
The Panjab University Convocation ...	...	513



सत्यमेव जयते

**Chronicle of Events**  
**AND**  
**India in Home Polity**  
*July—December 1938*

सत्यमेव जयते



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# CHRONICLE OF EVENTS

Vol. II—JULY—DECEMBER 1938

JULY 1938

**Chief Events :—**Happy ending of the Cawnpur Mill Strike—Mr. Subhas Bose's talks with the Bengal Home Minister on the release of political prisoners—Ministry tangle and re-shuffling in C. P.—Dr. Khare resigned—new Ministry formed with Pt. Shukla as Premier—End of the Jaipur-Sikar Dispute—Surrender of Sikar—Congress reply to Mr. Jinnah—League's claim as the sole mouthpiece of Moslems not accepted.

1st. Pandit Jawharlal Nehru had a long interview with Lord Halifax in London. It was surmised that no discussion took place suggesting the holding of a miniature Round Table Conference.

2nd. Mr. Sarat Chandra Bose, presiding over the Rajshahi District Political Conference said, "of all the problems political, economic and social, facing Bengal today those that appear as the most urgent and serious to me are the following (1) Poverty of peasants and workers, (2) Middle class unemployment; (3) Hindu Muslim relations; and (4) The release of political prisoners and detainees".

Death of Raja Profulla Nath Tagore : Keenly interested in politics, the Raja organized the all India Landholders' deputation which waited on Lord Irwin in Simla in 1929 to represent the grievances of the landholder community in connection with the new constitutional reforms.

4th. Mr. Subhas Chandra Bose, Congress President, had two hours' interview with Khwaja Sir Nazimuddin, Home Minister, Bengal, at the latter's Calcutta residence on the question of the release of the Bengal detenus and political prisoners. It may be recalled that it was Mahatma Gandhi who first opened negotiations with the Government of Bengal for the release of detenus and political prisoners in connexion with the promise he had given when the Andaman prisoners went on hungerstrike. There were several meetings between him and Sir Nazimuddin and also the Premier of Bengal Mr. Fazlul Huq, but the talks were not concluded as Mahatma Gandhi had to leave Calcutta owing to ill-health.

The Cawnpore Mill Strike ended. The terms of settlement were as follows : The Mazdur Sabha will recognize itself on the lines proposed in the report of the Labour Inquiry Committee. As soon as the Labour Commissioner certifies that such reorganization has taken place, the employers will allow recognition to the Mazdur Sabha automatically.

Manlana Abul Kamal Azad met party leaders at Patna in connexion with the Congress Zamindar differences over the Bihar Tenancy Legislation, regarding the speedy realization of rent.

5th. The Cawnpore Mills reopened : More than three-fourths of the men, who had been on strike for 50 days, resumed work.

Dr. Sachchidananda Sinha, speaking at Ranchi, referred to the Bengali-Bohari controversy and the question of separation of Chota Nagpur.

Pt. Jawharlal Nehru received a deputation of the Palestine Arab Committee in London. Panditji had a detailed talk with the deputationists with the object of collecting first hand information in connexion with the reported violence and shedding of blood between the Jews and Arabs of Palestine.

6th. The question whether Bengalis should be compelled to learn Hindustani was discussed at a meeting of the Corporation of Calcutta, when several Councillors protested against any such move and suggested that those who came to Bengal to live or conduct business should learn the language of the province.

In criticising Mr. Chamberlain's foreign policy in London, Pandit Nehru paid a handsome tribute to Gandhiji. He also declared that there could be no peace in the world until India attained complete political and economic freedom.

7th. Two Moslem organisations, separate from the League, and in opposition to that body were established in Bihar. One of them was the Jamait-ul-ulema—with the main appeal to the Moslems that they are the custodians of the Moslem religion and it is to them that the community should look for the protection of their religious rights. Another and a far bigger rival to the League is the Momin Jamiat—the Mominis who form the bulk of the Muslim population in Behar are by occupation weavers. In the All India Momin Conference, a resolution was passed condemning the League as trying to deprive the Mominis of their rightful place and asserting that the League did not represent them.

The Punjab Assembly agreed to refer to a select committee the Bill introduced by the Government to regulate the purchase and sale of agricultural produce in order, principally, to overcome the evils which deprived the producer of a fair price.

8th. Mr. Subhas Chandra Bose threatened to resign the presidentship of the Congress, if necessary, in order to be free to carry on the agitation against the Federal Scheme.

In the Punjab Assembly, the Opposition made renewed efforts to hold up the Restitution of Mortgaged Lands Bill, but after a debate lasting nearly four hours, the motion was rejected by 75 votes to 38.

9th. Mahatma Gandhi, in the Harijan, appealed to the people of the States to realize the meaning and potency of Satyagraha in their struggle for relative freedom.

In the Orissa Legislative Assembly : politics in a state of suspense, due to the two Tenancy Bills passed by the Assembly not having been disposed of.

10th. Pandit Jawaharlal Nehru's week-end stay with Lord Lothian at his country home in Norfolk. Discussions at Norfolk, re. assurances to Congress : (I) The British Government will insist on some measure of democracy in the States instead of their mere representation in the Federal Legislature. (II) In matters of Defence & Reserved subjects, the Viceroy will be guided by the advice of His Minister. (III) The British Government will agree to share the cost of defence of India.

Unrest in Sikar gained further strength from outside help, and the Rajputs in the city refused the Jaipur Darbar's demand to relinquish their arms.

The U. P. Provincial Congress Committee ratified the resolution passed by its executive committee on the rights of Zamindars in connexion with the tenancy reform.

12th. A statement criticising the provisions of the Government of Bengal Secondary Education Bill issued over the signature of 21 educationists. It was stated *inter alia*, "The Government proposals threaten to bring about a serious crisis in our cultural and national life. Effective steps are needed therefore to safeguard the future of education in Bengal and we hope that our appeal will receive prompt and adequate response from all parts of the Province."

In the Punjab Assembly, the Premier said that the Punjab Government had forwarded to the Government of India, a copy of the resolution passed by the Assembly on the question of Federation, and also a copy of the debate.

The Congress Socialist party in Bihar warned the Congress of the consequences in the event of the latter accepting Federation.

13th. Sir C. P. Ramswami Iyer, Dewan of Travancore, reiterated in the State Assembly : "So far as the question of responsible Government is concerned, con-

stitutional and proper agitation devoted to the attainment of constitutional advance will never be regarded by any civilized Government as disloyal or subversive."

- 14th.** India's record of the ratification of the International Labour conventions, revealed by the statistics of the progress of ratifications issued by the International Labour office, Geneva.

- 15th.** In the C. P., following the break-down in the talks among the Ministers on the question of redistribution of portfolios to two Ministers from Berar, Mr. R. M. Deshmukh and Mr. L. B. Gole tendered their resignations to the Premier, Dr. N. B. Khare.

In Bengal, an account of the economic distress now prevailing in the various districts of Bengal, and details of the relief measures organised by the Government, were given by the Revenue Minister, Bengal.

- 16th.** Mrs. Sarojini Naidu, presiding over a jute mill workers conference in Hooghly, advised labourers not to strike in a light hearted manner.

The Government of Travancore issued a press communique in connexion with lathi charge made on a large crowd of demonstrators outside the Assembly Chamber

The Punjab Assembly passed the Anti-'Benami' Transactions Bill and the Money-lenders' Registration Bill.

Mr. B. G. Kher, Bombay Premier, gave an assurance to landlords that no tenancy legislation would be introduced in Bombay without due consideration of their views.

- 18th.** Mr. Satyendra Nath Mazumder, editor and Suresh Chandra Bhattacharyya, printer and publisher of the Ananda Bazar Patrika, sentenced to six months' and three months' imprisonment respectively on a charge of sedition at Calcutta.

- 19th.** The Calcutta High Court acquitted Dharendra Nath Sen, editor and Upendra Nath Bhattacharyya, printer of the 'Hindusthan Standard' of a charge of sedition.

The Provincial Boy Scout Council of Bombay decided to disaffiliate itself from the Boy Scouts Association of India and to function as an independent and autonomous body under the name of the Hindusthan Scout Association, Bombay Presidency.

The Central India, Rajputana and Eastern States Ministers' Conference considered the proposals formulated by the reorganization committee of the Princes Chamber at Bombay.

The Travancore Budget showed a revenue surplus of about a lakh of rupees. In the Travancore Assembly, the child Marriage Restraint Bill was discussed.

- 21st.** An adjournment motion in the Punjab Assembly to discuss the lathi charge on unarmed and peaceful kisans of Chak number 254 in Lyallpur District was defeated.

In the Central Provinces, Dr. N. B. Khare formed a new Cabinet.

Mr. Subhas Chandra Bose, the Congress President, left Calcutta for Wardha to preside over the meetings of the Congress Working Committee—discussion mainly to centre round important subjects like communal settlement and the Federation.

India's naval defence to be strengthened by the addition of four modern escort vessels.

In the Punjab Assembly, replying to the Opposition criticism against the Restitution of Mortgaged Lands Bill, the Premier warned the Congress party against the 'unconstitutional' methods of agitation against the Bill.

- 22nd.** The Government of Bengal, in consultation with the Indian Central Jute Committee, undertook a provincial jute census.

**23rd.** Dr. N. B. Khare, Premier of the Central Provinces, resigned with his colleagues again, following his discussions with members of the Congress Parliamentary Sub-Committee at Wardha.

That he firmly entertains the hope "whether with another battle more brilliant than the Dandi March or without, India will come to her own demonstrably through nonviolent means," is the conclusion of Mahatma Gandhi in the course of a signed article in 'Harijan' entitled "How Non-Violence Works".

Presenting the Travancore budget at the joint session of the legislature, the Financial Secretary stated that the record increase in the States' revenue was achieved without any fresh measures of taxation.

**24th.** Surrender of Sikar : Triumphant entry of the Maharaja of Jaipur. People avow allegiance. All but ten ring-leaders were granted pardon. The Prime Minister made a proclamation.

**25th.** The C. P. Government in its review of the excise administration for 1937 stated that a society in which reduction of crime was accomplished by cheapening liquor must be considered an unhealthy state.

The Bihar Assembly reassembled after nearly a month's recess, enforced by the break-down in the negotiations between the Zemindars and the Government over the rent realization clauses in the Tenancy Bill now pending before the Assembly.

Mahatma Gandhi dictated the letter to be forwarded to Mr. Jinnah about the communal problem. The letter declared that the Congress was unable to accept the claim put forward by Mr. Jinnah that the All India Muslim League should be recognized as the sole representative and mouthpiece of the entire Muslim population of India.

**26th.** The Government of India addressed a Note to the provincial Governments explaining their views and decision on the recommendation of the Indian Coal Mining Committee.

The Congress Working Committee 'convicted' Premier Khare, remarking in the resolution on the C. P. Ministerial crisis, that "he (Mr. Khare) was guilty of indiscipline, and he exposed Congress to ridicule, he also brought down its prestige."

The Working Committee noted with satisfaction that three Congress Ministers showed their loyalty to the Congress by declining, without instruction from the Parliamentary Sub-Committee to tender their resignations, which was demanded by the Governor. Dr. Khare was further guilty of indiscipline in accepting the invitation of the Governor to form a new Ministry and contrary to practice, which he was aware, in actually forming a new Ministry and taking the oath of allegiance without reference to the Parliamentary Sub-Committee and the Working Committee, specially when he knew that the meetings of these bodies were imminent.

**27th.** Pandit Ravi Sankar Shukla elected leader of the C. P. Congress Party.

Addressing a conference of Divisional Inspectors of schools in Bihar Secretariat, Hon'ble Dr. Syed Mahmud, Education Minister stressed the necessity of giving impetus to the drive against illiteracy even at the cost of Government money.

**29th.** Pandit Ravi Sankar Sukla, leader of the U. P. Assembly Congress Party formed a Cabinet.

The Governor of Bengal sent back the Bengal Tenancy Bill to the legislature for the reconsideration of certain provisions in it.

Sriji Subhas Chandra Bose made a pointed attack against the Huq Cabinet in the Town Hall meeting in Calcutta. He accused the Huq Cabinet of gross betrayal of peasants' and workers' cause.

**30th.** Mahatma Gandhi, writing in the Harijan, criticised the system of imparting instruction through the medium of English.

The Working Committee of the All India Muslim League met at Delhi, when the letter of Mr. Subhas Chandra Bose, Congress President, to Mr. Jinnah, was discussed.

In Nagpur, there was considerable activity among the new Ministers over the allocation of portfolios.

- 31st. The C. P. Ministers arrived at a decision regarding the allocation of portfolios in the new Cabinet.

The Working Committee of the Moslem League, replying to the Congress President's letter on the question of communal settlement, criticized the attitude adopted by the Congress.

## AUGUST 1938

**Chief Events :—**Ten No-Confidence motions against the Bengal Ministry defeated in the Assembly—The C. P. Ministry controversy continued—Statements and Counter-statements issued—Complete release of detenus announced by the Bengal Home Minister—Travancore State Congress banned by the Government—Mrs. Kamaladevi arrested—Civil Disobedience started in the State—Several important tenancy reform legislations discussed in the provincial legislatures.

- 1st. In opening the meeting of the Bihar Subordinate Civil Service Association, Mr. Srikrishna Sinha, the Premier appealed to officials for closer contact with the masses.

In the Bihar Assembly, an adjournment motion was introduced to discuss the communal riot at Bhagalpore, but was talked out.

The Council of the All India Muslim League defined its attitude to the reported endeavours being made in England to modify the Federal scheme.

- 2nd. In the Bengal Assembly, ten motions of no-confidence against the ten Ministers composing the Bengal Cabinet were admitted for discussion.

The knotty problems of Federation, Central policy and taxation were explained by Messrs. C. C. Miller and T. Chapman-Mortimer at a meeting of the Calcutta branch of the European Association.

Haji Sir Abdullah Haroon appealed to Moslem League organizations in Sindh to preserve the dignity and the existence of the community by asserting themselves in the same way as the Congress Hindus.

In the U. P. Assembly three adjournment motions were ruled out of order. Five Bills as amended by the Upper House were placed on the table—The Gambling Act Amendment Bill was introduced and referred to a select committee, and the three Bills were introduced, considered and passed.

- 3rd. The Bengal Assembly accepted without any debate and opposition the recommendations of the Governor for the reconsideration of the Tenancy Bill as contained in His Excellency's message to the House.

In the Central Provinces, the parliamentary sub-committee of the Congress issued a statement on the Ministerial situation. The statement said, "It is clear that even after the Pachmarhi compromise, good relations were not maintained among the Ministers. Complaints of breaches of its terms by Dr. Khare were made to Sardar Vallabhbhai Patel. Some of them appeared to be obvious breaches, but he (Sardar Patel) urged that no precipitate action be taken and tried to secure a due fulfilment of the compromise. Matters came to a head among the Ministers and two of them, viz. Messrs Deshmukh and Gole, resigned on July 13th.

In a crowded meeting at Poona, Dr. N. B. Khare, Ex-Premier of C. P. explained the cause of his fall. He attributed it to "devilish revenge, jealousy and malice", and alleged that the Congress High Command trampled the principle of democracy in order to kill him.

In the U. P. Assembly there was considerable excitement when the Premier, Pandit Govind Ballabh Pant, refuted certain allegations made against a 'trusted officer' of the Government—Mr. Zahirul Hasnain Lari made certain allegations against the Junior Member of the Board of Revenue, in respect of a judgment, which was alleged to have been destroyed and replaced by a new one.

- 4th. In the U. P. Assembly, a resolution recommending to Government the introduction of compulsory vaccination in the rural areas of the province, was adopted.

The Central Jute Committee agreed to the proposal for surveying jute marketing and transport problems in India.

- 5th. In the Bengal Assembly, a bill seeking to counteract the evil effects of usury was introduced and referred to a select committee.

Sardar Vallabhbhai Patel, Chairman of the All India Congress Parliamentary Sub-Committee, issued a statement relating to the Cabinet crisis in the C. P. The statement contained : Dr. N. B. Khare's assertion that the premiership of the Central Provinces was thrust on him is untrue. From the very beginning he was anxious to be elected the leader of the Congress Party in the C. P. and Berar Assembly and first asked me, then Pandit Jawhar Lal Nehru, to help him in this respect."

In the U. P. Assembly, there was a keen debate on the Bill which aimed at compulsory recognition of registered trade unions.

In a memorandum to the Constitution Reforms Committee, Mysore, the Central Mohammedan Association in the State asked that 12 per cent of the seats in both Houses of the legislature should be allotted to Moslems.

- 6th. Mahatma Gandhi made a stern criticism of Dr. N. B. Khare, Premier of C. P. and Sir Francis Wylie, Governor of C. P. in the 'Harijan'. He said that Dr. Khare was not only guilty of gross indiscipline but betrayed incompetence as a leader "by allowing himself to be fooled by the Governor and by not knowing that by his precipitate action he was compromising the Congress". Mahatma Gandhi accused the Governor of betraying a haste in the whole affair which he could only describe as 'indecent' and of "bringing about a situation which he knew would be uncomfortable for the Congress". He also pointed out that there was no touch of 'Fascism' in the proceedings of the Congress. The Congress was the very antithesis of that. "Fascism was a naked sword, under it Dr. Khare would have to lose his head. The Congress is based on non-violence—its sanctions are all moral."

Dr. N. B. Khare issued a statement rebutting the charge made by Sardar Vallabhbhai Patel in connexion with the Cabinet crisis. With reference to his asking Pandit Jawharlal Nehru to support his leadership, he said, "I categorically deny the statement, as I never sought the support of any one from the 'High Command' for my leadership."

- 7th. Considerable tension prevailed in Calcutta arising out of the non-confidence motions in the Bengal Assembly.

Dr. Khare replied in strong terms to the charges made against him by Mahatma Gandhi in connexion with the C. P. crisis.

Mahatma Gandhi replied to the Nagpur Harijans' threat to offer satyagraha in case no Harijan was included in the C. P. Cabinet.

Mr. Subhas Chandra Bose, the Congress President issued a statement on the Burma riots in which he appealed for restoration of cordial relations.

- 8th. In the Bengal Assembly, the first of the ten non-confidence motions against the Ministry was defeated by 130 votes to 111. In accordance with the instructions issued by the Calcutta Moslem League and the Khilafat Committee, most of the Moslem shops in Calcutta were closed as a protest against the 'no-confidence' motions.

In the Bengal Council, replying to a question, the Home Minister stated that since August last, 1403 detainees had been released conditionally and 247 unconditionally.

In the United Provinces Assembly, the Minister of Justice, speaking on the changes made by the Upper House in the Court Fees Bill, stated that the question involved was of constitutional importance.

- 9th. In the Central Assembly, a series of questions in regard to the Federal plan failed to elicit any additional information.

In the Central Assembly, the adjournment motion to discuss the acquiescence of the Government of India in the Indian defence charges as the result of the recent proposals by the British Minister was passed by 71 votes to 33.

Sir C. P. Ramaswami Aiyar, Dewan of Travancore, explained in the Legislature why the State Congress had been characterized as disloyal.

The Madras Government denied the allegations appearing in a Calcutta publication that the villagers of Salem were continuing to enjoy fermented toddy inspite of the introduction of prohibition.

In the U. P. Assembly, a short notice question elicited from the Parliamentary Secretary to the Premier a definition of Government's policy in bringing about communal unity and preventing communal riots.

The Leader of the Congress Party in the Assam Legislature had certain criticisms of the Government's prohibition policy of opium.

- 10th. In the Bengal Assembly, the motions of no-confidence moved against the Labour Minister and the Minister for Co-operative Credit were defeated without a division.

In the Central Assembly a resolution recommending the appointment of a committee to inquire into the working of all India Radio was put to the vote and rejected without a division.

Following the no-confidence motions in the Bengal Assembly, Calcutta was a city of mass panic, rumours entirely unfounded, causing shopkeepers in Burrabazar and elsewhere to close their shops.

- 11th. The Bengal Legislative Council accepted a resolution to the effect that a sum of Rs. 25 lakhs be set apart within the course of 2 and a half years for Moslem education in all its branches in addition to the present annual allotment.

The Bihar Government suffered their only defeat on the Restitution of the Bakshat Land Bill in the Council when an entire clause was rejected.

In the Bengal Council, an account of the activities of the Bengal Home Industries Association was given by the Nawab Bahadur of Dacca.

- 12th. The Bengal Council accepted the recommendations of the Governor for reconsideration of two of the provisions of the Tenancy Law Amendment Bill which was passed by both Houses of the Legislature.

The Bihar Council discussed the Tenancy Amendment Bill, passed by the Assembly.

In the Central Assembly, the President announced that the Governor-General had disallowed two adjournment motions, one by Mr. Abdul Quayum regarding the "failure of the Government's Frontier policy", and the other by Mr. Asaf Ali on the Defence Secretary declining to disassociate the Government of India from Sir Philip Chetwode's sweeping and public remark that Indians, now taking king's commission, were not of the right type.

- 13th. Mr. Subhas Chandra Bose, presiding at a students' rally in Calcutta, appealed to students to carry the message of the Congress among the masses.

Addressing a students' conference at Lucknow, the U. P. Education Minister made an appeal to students to adopt what was best in the old order and those that were best in the new.

**14th.** More than 10,000 persons were present at the first open sitting of the N. W. F. Political Conference at Abbottabad when four resolutions were adopted.

The Madras Premier addressed a meeting on the Government's decision to introduce Hindi in Secondary Schools.

**15th.** The Defence Secretary introduced in the Central Assembly a Bill to prohibit speeches intended to prevent recruitment to the Indian Army or to incite mutiny therein.

The Bengal Government scored another victory in the Assembly when an opposition motion for reducing a demand for rupees one lakh for the creation of a separate Publicity Department was rejected by 123 votes to 103.

In the Bihar Assembly, supplementary budget estimates were presented for several schemes, including Rs. 3,27,000 for tube well irrigation.

In the Central Assembly, the Commerce Member answering a question made a statement on the position regarding the sale of Indian cotton to Japan.

In the Bihar Assembly, an adjournment motion to discuss the shooting incident at Bhagalpur was ruled out of order.

At Patna, a strong criticism of the Bihar Government's tenancy legislation was made at a peasants' rally.

**16th.** In the Bengal Assembly, Rs. 25,00,000 lakhs was voted for scheduled caste education.

The Bihar Assembly passed the Money-lenders Act Amendment Bill clarifying its attention to pending suits, appeals and proceedings in execution.

Mr. Subhas Chandra Bose, with the permission of Mr. Jinnah, released the correspondence which passed between him and Mr. Jinnah, re: Hindu Moslem settlement.

**17th.** In the Bengal Assembly, the Dentists Bill 1938 was passed.

The Bihar Cabinet's achievements in ameliorating the lot of the masses were explained by the Premier at a meeting at Patna.

Lord Lothian, who passed through Calcutta, commenting on the European situation said that affairs there were passing through a dangerous period.

Unconditional release orders for 144 more Bengal detenus were issued.

In the Bengal Assembly, general criticisms were offered on the supplementary Budget demands which were passed by the Assembly. The Finance Minister speaking on the demand of Rs. 1,00,000 lakh for the Publicity Department stated that no sums will be spent for subsidising newspapers.

**18th.** The Bombay Assembly discussed the House's rules of procedure.

The Bihar Assembly discussed the supplementary budget demands, the House rejecting two cut motions.

A meeting held in Calcutta under the auspices of the Bengal Hindu Sabha passed a resolution condemning the Communal Award.

A demonstration was staged by Calcutta bus-owners, drivers and conductors as a protest against the Motor Vehicles Bill.

The Bihar Government sent back the Prohibition Bill to the Assembly for reconsideration of a certain clause in the measure.

**19th.** The Bengal Council discussed the recommendations of the Retrenchment Committee appointed in 1932 and of the decisions taken on the report.

In the Bengal Council, in reply to Mr. Lalit Chandra Das, the Finance Minister stated that the total expenditure, including the expenditure of His Excellency the Governor and his staff for the summer exodus to Darjeeling was Rs. 63,624.

**20th.** Mahatma Gandhi in an article in the 'Harijan' on the Burma riots appealed for mutual understanding among Indians and Burmese and the need for adherence to the doctrine of non-violence.

In the Madras Council, the riots in Burma formed the subject of a non-official resolution.

- 21st.** The difficulties of the Bihar Ministry resulting from the opposition of peasants and Moslems were enumerated.

A deputation of 150 young men travelled from Nagpur to Shegaon with the object of meeting Mahatma Gandhi and registering their protest against the Congress Working Committee's resolution on Dr. N. B. Khare.

- 22nd.** In the Central Assembly, replying to a question, Sir James Grigg, Finance Member, made a statement on the relation between the Reserve Bank and the scheduled banks.

Mrs. Kamaladevi Chattopadhyaya, who was arrested for defying an order of the Travancore State, on her release, issued a statement, criticising the policy of Indian States for their prohibitory orders on political workers.

In the Central Assembly, the Defence Secretary stated that the proposal to substitute a felt hat for the turban of the Indian soldier has been under consideration for sometime.

- 23rd.** In the Bengal Council a motion that in all future appointments to the Governorship of Bengal the opinion of the Council of Ministers should be previously obtained was lost.

In the Central Assembly the Communications Member, replying to a question, said that a rebate on the freight charges on cotton was being given to bring back all the railway traffic that had been diverted to the road.

The Central Assembly passed by 65 votes to 55 the Defence Secretary's Anti-Recruitment Activities Bill.

In the Bengal Assembly the Opposition's motion for reference of the Bengal Municipal Amendment Bill to a select committee was defeated.

- 24th.** In the Bengal Assembly the Home Minister said, "From to-day there will be no detenus left in Bengal. When the Ministry came into power in 1937, they found there were some 2,700 persons subject to orders of restraint in one form or another under the Bengal Criminal Law Amendment Act of 1933 or Regulation III of 1918."

Sardar Vallabhbhai Patel arrived in Karachi to advise the Congress Party there on the Congress difficulties.

The Bengal Assembly adopted a motion calling upon the Government of Bengal to give help to the Indian refugees from Burma. A resolution urging the compulsory retirement of officers under the services of the Government on their completing 25 years of service was passed.

In the Central Assembly, a number of questions were put and answered on Mahatma Gandhi's reference to the "Unwritten pact" between the Congress and British Government."

- 25th.** The Bengal Assembly adopted a non-official resolution recommending that 60 per cent of the appointments in the public services should be reserved for Moslems, 20 per cent for scheduled castes and 20 per cent for the rest.

Sardar Vallabhbhai Patel, at Karachi, in connexion with the Ministerial dispute in Sindh, met party leaders and explained the Congress attitude on the question.

In the Central Assembly, the Home Member answered a question relating to convict marriages in the Andamans and the so called weekly "Love parades".

The Travancore Government decided to assume special powers to cope with the situation that might arise in view of the decision of the State Congress to embark on a campaign of Civil Disobedience.

- 26th.** The campaign of Civil disobedience, decided upon by the Travancore State Congress, started in the State.

Better finances enabled the Bengal Government to revert to the policy of making grants for drainage schemes in 1937.

## SEPTEMBER 1938

**Chief Events :—**The C. P. Ministry controversy continued—further statements and counter-statements issued—Unrest in Travancore State, Mahatma Gandhi's appeal for enquiry turned down by the Dewan—Resignation of Sa-adulla Ministry in Assam; Congress Coalition Ministry formed under S. J. Bardoloi—Mahatma's comments on the incidents in Mysore, Travancore and Hyderabad—Firing in Travancore State and unrest in some Orissa States where the Praja Mandal was declared unlawful—Congress Working Committee meeting in Delhi; important resolutions adopted.

**1st.** In the Central Assembly, an intriguing situation developed over the Deputy President, who happened to occupy the chair in taking part in a voting on an amendment of the Motor Vehicles Amendment Bill.

The Orissa Premier, in opposing an adjournment motion in the Assembly, refuted an allegation that the Government had decided to give monopoly to a Calcutta firm to exploit certain chemicals and drugs in the province.

The President of the Assam Council ruled out a point of order raised by a member on the Moneylenders' Act Amendment Bill. The Council effected several changes to the Sylhet Town Land Tenancy Bill.

**2nd.** The Premier made a statement in the Orissa Assembly outlining the Government's policy regarding the industrial development of the province.

In the Assam Legislative Council Rai Sahab Haran Chandra Dutt moved a resolution recommending the Assam Government to appoint an expert to report on the causes of the flood in the province and to suggest means to avoid such calamities in future. The resolution was withdrawn after discussion.

Dr. Rabindranath Tagore in reply to a letter of Mr. Y. Noguchi, the Japanese poet, strongly condemned Japan's "war of aggression."

**3rd.** The executive committee of the Nagpur City Congress adopted a resolution recommending to the Nagpur Provincial Congress Committee that disciplinary action should be taken against Dr. N. B. Khare, former Premier of the Central Provinces and two other congressmen.

Mr. A. K. Fazlul Haq, Premier of Bengal, in opening the All-Bengal Primary Teachers' Conference in Calcutta mentioned the problem of raising Rs. 4,00,00,000 crores, needed before Primary Education could be introduced throughout the province.

**4th.** Mahatma Gandhi "is thoroughly unaware of the facts," said the Dewan of Travancore, commenting on the Mahatma's statement on the unrest in the State.

On the last day's proceedings of the Bengal Primary Teachers' Conference in Calcutta, the introduction of free compulsory education in the province was urged.

The U. P. Chamber of Commerce addressed a communication to the Government on the subject of the report of the special officer on certain proposals for revision of the Merchandise Marks Law and on a draft Bill to amend the Merchandise Marks Act, the Sea Customs Act and the Indian Penal Code.

**5th.** In the Central Assembly, the constitutional position of the Deputy President with regard to voting was explained by the President in an important ruling given by him.

The Central Assembly discussed the Bill to consolidate the provisions regarding divorce for Moslem women.

In the Central Assembly, the Secretary of External Affairs informed a questioner that the India Government had no information regarding the expulsion of the Sikhs from Afghanistan.

Speaking at Jubbulpore, the C. P. Premier and Pandit D. P. Mishra, Minister referred to the Khare episode.

Mr. M. Yunus, a former Premier of Bihar, submitted a memorandum in connexion with the Bengali-Bihari controversy.

- 27th.** • Mahatma Gandhi, writing under the Caption "My so-called inconsistencies" in the 'Harijan' further clarified his views with regard to picketing. In an earlier article he had expressed his disapproval of "violent picketing".

The Public Health Commissioner with the Government of India, Colonel A. J. H. Russel, in his annual report estimated that by 1941, the population would reach a figure approximating 400,000,000.

In the course of a message on the observance of Tenancy Act Day in Bengal, Mr. Fazlul Huq, Premier, referred to the measure as the Ministry's first instalment of service.

The Zamorin of Calicut likely to organize a protest movement against the Madras Ministry's temple entry.

The President of the Travancore State Congress Working Committee was sentenced to 1 year's imprisonment and a fine of Rs. 800 for disobeying a magisterial ban.

- 28th.** In the Bombay Assembly, Mr. K. M. Munshi, Home Minister, replying to questions made a statement on the communal riots in Bombay in April last and the action the Government had taken to prevent their recurrence.

The Council of the Madras Teachers Guild met to discuss the question of the compulsory introduction of Hindi in Secondary schools in Madras.

Mr. Rajaram, General Secretary, Punjab Congress Committee questioned the authority of the working council and refused to hand over the necessary papers to his successor appointed by the council.

In the Orissa Assembly, twelve members tabled resolutions protesting against the declaration of certain parts as partially excluded areas and requested that they might be placed with the normally administered areas of the province.

✓ In Travancore, the houses of several Congress officials in the State were searched. ✓

- 29th.** In Trivandrum, the District Superintendent of Police and more than a dozen constables were seriously injured in a clash following the holding of a Congress meeting in defiance of the District Magistrate's orders.

In the Central Assembly, the Commerce Member replied to questions regarding the conferment of honours and titles by the Crown.

In the Orissa Assembly the Speaker made as many as four statements. He observed, "Privilege is to Parliament, what prerogative is to Crown. Within the orbit of its privileges every House is free."

- 30th.** The Public Health Commissioner with the Government of India, in his annual report, dealt with the country's health problem and urged the need for a protected water supply.

The Assam Council discussed the Moneylenders' Bill, the Debt Conciliation Bill and the Sylhet Town Land Tenancy Bill.

- 31st.** Troops opened fire on a mob near Trivandrum following a series of incidents.

The Orissa Premier introduced the Moneylenders' Bill in the Assembly.

Sir B. P. Sinha Roy, Revenue Minister, Bengal, who made a tour in the flood-affected areas in the Murshidabad, Rajshahi and Nadia districts, said in an interview that distress among the inhabitants was widespread.

The Bihar Education Minister appealed to students and teachers to work for mass literacy during the coming vacation.

A meeting in Calcutta organized by the Bengal Hindu Sabha, protested against the reservation of 60 per cent of the appointments in Bengal's public services for Moslems.

Dr. Rabindranath Tagore in a statement on the political situation in Bengal deplored the campaign of "mutual recrimination" being carried out by the various parties.

- 6th.** Mrs. V. Pandit, in an interview in London, said that India was deeply concerned with the question of her own freedom, and not so much with minor political details.

Mahatma Gandhi issued a note in reply to the Travancore Dowan's statement on the happenings in Travancore appealing for an inquiry into the incidents.

- 7th.** The Public Health Commissioner stated in the annual report that maternity and child welfare work had made notable advances since its inception as a national movement in India in 1918.

In the Orissa Assembly, various schemes to encourage cottage and village industries, to improve agriculture and to promote cooperation were subject matters for supplementary demands, approved by the Assembly.

The Assam Assembly rejected a Congress motion for reference to a select committee of the Assam Local Self-Government Act Amendment Bill.

Sir C. P. Ramaswami Ayyar, Dewan of Travancore rejected the proposal of Mahatma Gandhi for an outsider to conduct an inquiry into the recent incidents in that State.

- 8th.** In Assam, a trial of strength between the Ministerial Party and the Opposition in the Assembly over the Local Self-Government Bill was won by the Ministerialists by 50 votes to 37.

In the Central Assembly, the power of the State to fix maximum and minimum bus fares was discussed when Mr. F. E. James moved an amendment seeking the deletion of a clause of the Motor Bill giving such power to provincial Governments.

The Nizam in opening the Jubilee Pavilion in the Capital of his State, urged the need for self discipline among youths and the toleration of different faiths.

- 9th.** In the Council of State, Sir Jagadish Prasad made an important statement in regard to the Burma riots and the steps which the Government of India intended to take to safeguard Indian interests.

In the Central Assembly, a non-official Bill seeking to consolidate the provisions of the Moslem law relating to suits by married Moslem women for dissolution of marriage and to remove doubts as to the effect of apostasy of a married Moslem woman on the marriage tie was discussed.

The Governor of Assam sanctioned the introduction of the Assam Provincial Bill, 1938.

- 11th.** The need for a check on the trade in adulterated drugs was again emphasized at a conference, when Government were asked to undertake All-India Legislation.

Government decided on stricter control over the import of fire works in view of large number of accidents due to such explosives in recent years.

The Madras Premier and the ex-chief Minister, the Raja of Bobbili entered into a controversy over the introduction of Hindi in the Province.

- 13th.** In the Central Assembly, an important statement on India's defence expenditure and on the recent discussions between representatives of India and the British authorities, were made by Sir James Grigg, Finance Member.

Mr. Subhas Chandra Bose, Congress President, issued a statement on the recent Ministerial crisis in the Central Provinces. He said, "One cannot fail to notice that in the pro-Kharo propaganda which has agitated certain parts of our country, a number of individuals and agencies have joined who have been long known for their antipathy towards the Congress."

In the Council of State, a resolution regarding recruitment of more Madrasis into the Indian Army was discussed.

The Assam Cabinet resigned.

An adjournment motion in the Bombay Assembly to discuss police action in connexion with a mill strike was defeated by 75 votes to 25.

"Service before self" was the motto advocated by Dr. Syed Mahmud, the Bihar Education Minister in a message which was read at the opening ceremony of a centre at Patna under the Wardha education scheme.

- 14th. The action taken by the Bengal Chamber of Commerce towards relieving unemployment among released detenus, described in an abstract of the proceedings of the Chamber.

Resident students of the three Halls of Dacca University began a hunger strike and also declared a general strike of the University classes and picketed the gates of the University buildings.

- 15th. The Council of State discussed the Bihar disaster and adopted a resolution almost similar to the one passed in the Lower House.

The resident students of the three Halls of the Dacca University ended their hunger strike but the general strike of the students continued.

- 16th. In the Central Assembly, the composition of the expert committee to investigate problems of Indian defence in relation to India's financial resources was a topic of discussion second only to the international situation.

Mr. Subhas Chandra Bose said at Shillong, "Federation must be resisted at all costs and if that could be done a big obstacle to the attainment could be removed. The international situation is such that if we can take advantage of the same, freedom for India will be attained at no distant date without war".

The Bombay Legislative Assembly passed the first reading of the Bombay Trade Disputes Bill by 80 votes to 38.

The Central Assembly passed the third reading of the Motor Vehicles Bill and took up the Bill to amend the Indian Emigration Act which sought to stop unassisted emigration.

- 17th. Mahatma Gandhi in an article in the Harijan commented on the incidents in Mysore, Travancore and Hyderabad.

In the Central Assembly, the transfer of four British battalions from the Indian establishment to the Imperial establishment, announced by the Finance Member, did not represent the total reduction of the British forces in India contemplated under the existing arrangements.

The Congress Party in the Assam Assembly decided to form a Cabinet in coalition with other groups.

Dr. N. B. Kharo, ex-Premier of the Central Provinces, made a statement in the C. P. Assembly on the circumstances leading up to his resignation.

- 18th. "The Ice Age in Kashmir", formed the subject of an interesting address delivered by Mr. D. N. Wadia presiding at the annual meeting in Calcutta of the Geological, Mining, Metallurgical Society of India.

- 19th. Sri Gopinath Bardoloi, the Leader of the Assam Congress Assembly Party formed a Congress coalition Ministry in Assam.

The Talcher Durbar, as an emergency measure, declared the State Subjects' organization as unlawful.

In the Central Assembly, the gravity of the situation in Burma was again emphasized when questions on the riots and the loss of Indian lives were asked immediately after the House assembled.

The Speaker of the Central Provinces Assembly, Mr. G. S. Gupta withdrew from the Assembly for about 5 minutes in deference to the wishes of a section of the House when an adjournment motion in respect of a procession organized in his honour in Berar came up for discussion.

- 20th.** The C. P. and Berar Relief of Indebtedness Bill, which evoked a storm of opposition from the moneylending classes in the province, was referred to a select committee after a debate lasting for over two hours.

The Council of State passed the Emigration Bill in the form in which it was passed by the Central Assembly.

The constitution sub-committee appointed by the Haripura Congress session to consider changes in the Congress Constitution with special reference to method of election and duration of membership had a four hours' discussion at the Harijan colony.

- 21st.** Two persons were killed and one wounded when Travancore State troops opened fire on a defiant mob who had assembled on Shanknugham beach and began stoning a police party.

Prominent Congress leaders at Delhi for the meeting of the All-India Congress Committee and the Working Committee met Mahatma Gandhi and discussed with him his scheme of a "non-violent national militia."

- 22nd.** The Congress Working Committee which met at Delhi passed a resolution recommending to the A. I. C. C. to endorse the action taken by the Working Committee in connexion with the Ministerial crisis in the Central Provinces.

Dr. Moonje spoke on the Hindu movement in Calcutta. He said, "Congress from the beginning has been a national body. It preaches unalloyed nationalism in India."

- 23rd.** Dr. N. B. Khare, Ex-Premier of the Central Provinces, in a statement proposing the formation of a new party within the Congress, severely criticized Congress leaders.

A report from Garh Dhenkanal stated that Mr. Hari Mohan Patnaik, President of the State Praja Mandal had been arrested at Dhenkanal. The Praja Mandal was declared an unlawful body following the abandonment of the compromise negotiations.

The Orissa Governor, the President of the Eastern States Agency and the Commander, Presidency and Assam District met to discuss the present unrest in Orissa States.

The aftermath of suspicion and ill-feeling between Hindus and Moslems following the disturbances in Hyderabad (Deccan) which culminated in the Government ban against the formation of a State Congress awakened among the leaders of both communities a sense of urgency and need to do something to restore cordial relations.

- 24th.** The Congress Working Committee in Delhi discussed the suggestions made by Mahatma Gandhi in his address to the Committee on the question of "truth and non-violence".

A statement issued by Mr. H. S. Suhrawardy, Minister for Commerce and Labour, Bengal, in connexion with the Bengal Jute Ordinance resulted in curtailment in the manufacture of raw jute.

The Government of Orissa appointed a Committee of Consulting Engineers to investigate the flood problem in the province and to draw up remedial measures.

- 25th.** At New Delhi, the Congress Working Committee, in consultation with Mahatma Gandhi, decided that no specific resolution relating to war and the international

situation should be placed before the All-India Congress Committee, but a short resolution should be moved empowering the Working Committee to take whatever action it thought necessary in the event of the outbreak of hostilities.

After animated discussion, the Working Committee's resolution on the Central Provinces Ministerial crisis, as amended by Mr. Balkrishna Sharma's amendment that disciplinary action should be taken against Dr. Khare, was passed by an overwhelming majority.

The Bengal Government issued a communique clarifying their policy in respect of the release of prisoners convicted of political crimes.

The All India Kisan Committee condemned the Congress Ministries on their policy of tenancy legislation.

Mr. V. V. Giri, Minister for Labour and Industries, Madras outlined plans for solving unemployment in the province in a Press interview.

The U. P. Government appointed another Committee to work out details of the proposed jail reforms and recommended a five year or a seven year plan.

- 26th.** The Bengal Government issued a Press Note giving details of improvement effected in the jail administration of the province.

At the All-India Congress Committee meeting at Delhi an official resolution on civil liberty evoked heated discussion.

Mr. Gopinath Bardoloi, Premier of Assam, issued a statement in which he called for "normal relations between the Congress Party, which is now identified with the provincial Government, and the Police."

The Dhenkanal Durbar issued a statement contradicting certain statements made in the Press in Cuttack, and giving a list of concessions granted to the subjects.

- 27th.** Sir Sikandar Hyat Khan, the Punjab Premier declared that the Punjab was behind the Empire, should the need for a call to arms arise.

The Travancore Government issued a Press communique repudiating allegations "spread by the State Congress" that Police were molesting peaceful citizens.

A note of warning "that owing to germs of dissolution inherent in the communal decision, Bengal is leading forward towards a grave crisis" contained in a statement issued through the "Associated Press" over the signatures of several prominent Hindu leaders of Bengal.

- 29th.** The speech of the Punjab Premier, Sir Sikandar Hyat Khan, affirming the Punjab's loyalty to the Crown in the event of an emergency created interest in political circles in Lahore.

Improvement in the financial condition of the province enabled the Government to revert to the policy of making grants towards water supply, drainage and sewerage schemes, said a resolution of the Bengal Government on the reports of the Sanitary Board and the chief Engineer, Public Health Department for 1937.

- 30th.** The Congress Working Committee considered the resolution of the U. P. Provincial Congress Tenancy Sub-Committee forwarded to the Congress President and the President of the Congress Parliamentary sub-committee.

The All-India Spinners' Association passed a resolution at Delhi, for a further rise in the wages of spinners.

In the C. P. Assembly, some Moslem M.L.As sought to move an amendment by which Urdu or Hindusthani should be a recognised language in the Assembly.

## OCTOBER 1938

**Chief Events :—**Industries Ministers' Conference in New Delhi—Constitutional Reforms announced in some of the States—Muslim League Conference at Karachi criticised Congress attitude to Moslem interests and urged Moslem and Non-Moslem Federations—Negotiations for a League Ministry in Sindh failed—First Sitting of the Federal Court in New Delhi—Rulers of Orissa States assembled in Calcutta to discuss the agitation in their States—Mahatma's Frontier Tour—Congress attitude towards Indian States interpreted by Sardar Patel.

- 1st. Mahatma Gandhi explained in the 'Harijan' the reasons for the Congress policy of non-intervention with regard to the States.

Writing in the Harijan, Mahatma Gandhi declared that there was no difference of opinion between him and Pandit Jawaharlal Nehru over the question of Federation.

The Bengal Premier, Mr. A. K. Fazlul Huq, in his presidential address at the annual session of the All-India Moslem Education Conference in Patna, criticized the Education policy of the Congress.

Reference to the growing indications of communal ill-feeling in many parts of Bihar was made in the Government resolution reviewing the report on the administration of the Police Department in the province in 1937.

The Education Reorganization Committee appointed by the Bihar Government issued a question on secondary education.

The Frontier Premier gave an assurance that a settlement would soon be arrived at in regard to the agrarian dispute at Jullunder.

- 2nd. The All-India Moslem Educational Conference, under the Presidentship of Mr. A. K. Fazlul Huq, Premier of Bengal decided to reject the Wardha Scheme.

Industries Ministers from the Congress administered provinces met in conference at New Delhi to discuss economic planning on a nation-wide scale and also development and co-ordination of industrial resources in India.

The Congress Working Committee passed a resolution expelling Dr. Khare, the Central Provinces ex-Premier, from the Congress and calling upon him to resign his membership of the C. P. Assembly on behalf of the Congress.

A resolution of the Punjab Government on the working of the Police Department stated that the year 1937 was a bad one from the point of view of communal troubles and crime.

- 3rd. The Conference of Industries Ministers of Congress administered provinces resolved to formulate a comprehensive scheme of national planning for the industrialization of the country.

The Dewan of Rajkot issued an order for the enforcement of the provisions of the Criminal Law Amendment Act which relate to the molesting of persons to the prejudice of their employment or business.

Mahatma Gandhi issued a statement on non-violence in Travancore and the position of the State Congress.

The Ruler of Nagod State, Central India, announced the establishment of a State People's Assembly and constitutional reforms of far-reaching importance.

- 4th. Sir C. P. Ramaswami Iyer, Dewan of Travancore, issued a statement on the recent activities of the Travancore State Congress.

At Lucknow, the Shiaah-Sunni differences which had remained dormant for some time, took a turn for the worse.

The proposed changes in the income tax law were criticized in a communication from the Federation of Indian Chambers of Commerce and Industry.

A communal clash in which a number of persons were injured occurred at Sylhet.

5th. A supplementary demand for grant for training of the civil population in air raid precautionary measures made in the Bombay Assembly.

The methods of police surveillance in the United Provinces are to be examined by a committee appointed by the local Government.

Mahatma Gandhi arrived at Peshawar on his Frontier tour.

A survey undertaken by the Punjab Government revealed that the manufacture of accessories of bicycles and sewing machines can profitably be undertaken in this country.

6th. Political activity in Dhenkanal State revived with the launching of a Satyagraha by the Dhenkanal Proja Mandal.

In Bombay Primary School teachers in the presidency were not properly trained, stated the committee appointed to advise on primary education in Bombay.

Adjourning the Dussarah Session of the Mysore Representative Assembly, the Dewan touched on the Government's work for the people of the States.

The need for inter-provincial co-operation for the industrial development of the country, was stressed by the Minister for Industries, Bombay in a Press interview.

The Kashmir State Assembly discussed a non-official resolution urging that the lot of Harijans be improved.

7th. The proposal for a separate Moslem Federation to be discussed by the Working Committee of the All-India Moslem League.

The Indian Medical Association made representation to the Central Board of Revenue in criticism of the Income Tax Bill.

The preliminary hearing before the Federal court will begin this month in respect of the case filed by the U. P. Government relating to certain revenues which it contends, should be credited to it.

Mr. M. A. Jinnah, President-elect of the Sindh Moslem League Conference, was given a rousing reception at Karachi.

Sir S. Radhakrishnan speaking in Madras, stated that a strong self-governing India would be the greatest advantage to the peace of the world.

8th. Presiding at the Sindh Moslem League Conference at Karachi, Mr. M. A. Jinnah strongly criticized Congress attitude to Moslem interests, and accused the Congress Executive of wanting to divide the Moslems.

Writing on the European crisis, Mahatma Gandhi asked the question (in the Harijan) whether Herr Hitler had discovered a new technique of organizing violence which enabled him to gain his end without shedding blood.

Sir Henry Craik, the Punjab Governor, referred to the loyalty of the province to Britain during the recent crisis in Europe when he replied to addresses of welcome at Ludhiana on his first official visit there.

9th. The Congress policy specially in regard to minorities' problems and the claim of the organization to represent the Indian nation were challenged by the Bengal and the Punjab Premiers in their speeches at the Sindh Moslem League Conference.

A scheme for the setting up of a committee and a commission for the economic planning of industries, was submitted by the Ministers of Industries of the Congress administered provinces.

The Maharaja of Rewa, in a message to his subjects, pleaded for the removal of untouchability in his State.

10th. A resolution urging that India be divided into two Federations, one for Moslems and other for non-Moslem groups was adopted at the Sindh Moslem League Conference.

The Federal court, for the first time in its history, met to transact judicial business.

Mrs. Sarojini Naidu performed the opening ceremony of the Cawnpore Swadeshi Exhibition.

The programme of the Moslem League was defined at the Sindh Moslem League Conference.

At the general meeting of the Utkal Provincial Congress Committee, under the presidency of Mr. Gopabandhu Chaudhuri, the action of the Central Government in despatching British troops to Orissan and Talcher States and also the policy of repression pursued by the Raj Darbars came in for severe condemnation. The meeting also sympathised with the people in these States in their struggle for legitimate rights.

- 11th. Dr. R. Naidu, Fishery Expert to the Government of Bengal, pointed out how Bengal squandered her wealth in fish.

The Moslem League Conference passed two resolutions, one on the Sukkur Barrage debt and the other on the political situation.

A further step in the mass literacy campaign was taken by the Bihar Government who prepared a scheme for carrying on the work on a province-wide scale in which private initiative would be given full scope.

In the United Provinces, the chief aim of an elaborate scheme for medical relief in rural areas, was that medical relief would be available to every one within five miles.

The protagonists of the Shia-Sunni dispute in Lucknow were busy formulating their future line of action.

The United Provinces Ministry issued a warning to would-be critics of the Government against wild allegations.

The industrial future of India was discussed by Bihar's Development Minister in a Press interview.

Sir Sikandar Hyat Khan, Premier of the Punjab, received a great ovation when he visited the Hoshiarpur district to preside over a peasants' conference.

- 12th. The negotiations between Mr. Jinnah, the Moslem members of the Sindh Assembly and the Premier for the formation of a League Ministry in the province were reported to have broken down.

The Indian Jute Mills Association decided on action which it was believed might have an appreciable effect on the efforts that were being made to bring about an agreement among jute mills in India for the restriction of the manufacture of jute goods.

In a statement issued at Lahore, Bhai Paramanand, commenting on the Sindh Moslem Conference, warned the Congress "not to stick to its wild goose chase but to start afresh."

In the Bombay Assembly, a Bill to provide for the restoration of lands forfeited during the civil disobedience movement was introduced.

- 13th. A challenge to the Premiers of the Punjab and Bengal was one of the features of a speech delivered at Agra by Pandit G. B. Pant, the U. P. Premier.

In a farewell speech at the Sind Moslem Conference at Karachi, Mr. M. A. Jinnah explained why he had 'rebelled' against the Congress.

No solution of the Sindh Ministerial problem has yet been evolved as a result of the Moslem League-Ministry talks in Karachi.

"In view of the recent happenings, is it too much to hope from the Congress that it would revise its policy and start afresh", asked Bhai Paramananda, Senior Vice-President of the Hindu Mahasabha in the course of a statement to the press at Lahore.

The Sindh Premier issued a statement in reply to the one by Mr. M. A. Jinnah on the Ministerial dispute in Sindh.

In deference to the wishes of Mahatma Gandhi, the North-West Frontier Premier's guards are to go unarmed in future.

The Tariff Board examined representatives of the Japanese Chamber of Commerce regarding the grant of further protection to the sericultural industry in India.

- 14th. The Congress Coalition Ministry in Assam assured of a majority in the Assembly.

Speaking at a Press Conference, Mr. Subhas Chandra Bose, Congress President, referred to the resolution passed by the All-India Muslim League Executive with regard to the Congress League parleys for a settlement of the Hindu-Muslim question. He said that Congress was prepared to discuss the question with the League of any obstacles in the path of Hindu-Muslim unity. The Congress had a similar attitude with regard to the problems of other minorities.

- 15th. Several Moslem leaders of Sindh issued a statement on the breakdown in the negotiations for the formation of League Cabinet in the Province.

Mahatma Gandhi, writing in the Harijan on the walk-out which occurred during a meeting of the All India Congress Committee, advised a 'purge' of the party.

A variety of problems were discussed by Mr. Sarat Chandra Bose, leader of the Congress party in Bengal, in his presidential speech at the Mysore students' Conference.

Mahatma Gandhi met Red Shirt leaders at Peshawar.

It was considered probable that the Congress High Command's offer of arbitration in connexion with the United Provinces Tenancy dispute would be accepted by the Zemindars.

Opening the Madras Press Workers' Conference, the Labour Minister advised them to think more in terms of organization and less in terms of strikes or direct action.

Punjab Express derailed. One killed : 37 injured.

Another trial of strength between the Ministerialists and Socialists ended in a decisive victory for the former at a meeting of the U. P. Provincial Congress Committee.

The question whether there will be an eleventh hour change in the situation regarding the Tenancy Bill in the United Provinces Assembly, and whether there will be an adjournment of the session for three weeks, was the question being discussed in Assembly circles.

- 17th. The Congress attitude towards the Sindh Ministerial dispute was explained by Maulana Abul Kalam Azad.

The Federal Court sat to determine the question of the validity of the O. P. Act which authorized a taxation of 5. p. c. on the sale of motor spirit and lubricants.

Dr. Sanaullah, President of the Chittagang District Nationalist Moslems' Conference criticized certain activities of the League and appealed for communal harmony.

The Director of Industries, Bengal and the Deputy Director of Sericulture in the province gave evidence before the Tariff Board which was inquiring into the question of granting further protection for Sericulture industry.

His Excellency Sir Henry Craik, Punjab Governor, sent back the Debtor Protection (Amendment) Bill, with certain recommendations, to the Assembly for re-consideration.

Speaking at Mysore, on civil aims, Mr. Sarat Chandra Bose, said that in a political conflict one was apt to neglect civil work.

- 18th. The Rulers of States under the Eastern States Agency discussed the agitation among subjects in certain Orissa States at a conference in Calcutta.

The Federal Court heard the arguments of the Advocate-General, C. P. and Berar, in the case in which the validity of a C. P. Act was questioned.

The need for granting further protection to the sericulture industry was stressed before the Tariff Board by representatives of the Government of Bengal.

The U. P. Assembly passed the U. P. Melas Bill.

The Bombay Legislative Council passed all stages of the Forfeited Lands Bill which was passed by the Assembly.

- 19th.** The Council of Rulers of States under the Eastern States Agency passed a resolution characterizing the agitation now being carried on in some of the Orissa States as the work of outside agitators.

A riot in the Patiala Central Jail resulted in the death of three prisoners and various injuries to several others.

The Advocate-General of Bengal continued his arguments in the Federal Court in the case in which the validity of a C. P. Act was questioned by the Government of India.

- 20th.** The negotiations between Mahatma Gaudhi and the Government of Bengal over the release of political prisoners are said to have broken down.

The Federal Court reserved judgment in the case referred to it wherein the validity of a C. P. Act was questioned by the Government of India.

Mr. Jinnah criticized the statement of the Congress President on the settlement of the communal problem.

The formation of the Bardoloi Cabinet in Assam was completed with the taking of the oath by the third Moslem member of the Ministry.

The latest proposals regarding the U. P. Tenancy Bill were a feature of a long discussion at a meeting of the U. P. Congress Party.

The meeting of the members of the Reception Committee of the All India Hindu Mahasabha session at Nagpur was held in the Neill City High School Hall.

- 21st.** Representatives of the Bengal National Chamber of Commerce gave evidence in Calcutta before the Tariff Board on the question of protection for the Sericulture industry.

Whether the publication of news about cow slaughter tended to promote communal enmity and hatred, was discussed before a Full Bench of Lahore High Court.

- 22nd.** Pandit Jawharlal Nehru addressed the India League in London. He advised the Indian students to continue to take an active interest in the political life there instead of confining themselves merely to studies. He opined that they had a great opportunity to develop a broader outlook there after which they would be useful soldiers in fighting for freedom on return to India.

Troops again opened fire in Dhenkanal which resulted in the killing of 3 persons and injuring many.

- 23rd.** The political activities of Maulana Abul Kalam Azad were condemned at a meeting of Moslems held in Calcutta.

Mahatma Gandhi had a busy day at Kohat where five deputations waited on him.

An interesting development in regard to the proposals for arbitration over the Tenancy Bill is reported to have occurred following a request made by the Agra Zemindars.

- 24th.** Their Excellencies the Viceroy and Lady Linlithgow returned to India.

The Congress President issued an appeal for funds for relief work in the flood-stricken areas of Bengal.

Lord Lothian in Calcutta : interviewed by a Press representative, he said that he saw "no reason for a change in the Government of India Act".

- 25th.** The Raja of Dhenkanal arrived in Calcutta and had an interview with the President, Eastern States Agency.

The effect of the Bihar Tenancy Bills of the Congress Ministry of that province was reviewed in a statement issued by Mr. Rajendra Prasad.

Replying to a deputation on behalf of the Bannu City Defence Committee, Mahatma Gandhi outlined a plan he had formulated for dealing with raids and for a solution of the Frontier problem.

- 26th.** A resolution relating to the reappointment of detenus who had formerly been employees of the Calcutta Corporation, gave rise to some discussion at a meeting of the Corporation.

The Government of Bengal (Local Self-Government Department) issued a circular letter to all the Divisional Commissioners with a view to ascertaining the opinion of District Boards on the subject of the abolition of the Local Boards and election of members of a District Board directly by persons and entitled to vote at such elections.

The year 1937-38 continued to be a disturbed one in Waziristan, stated the Annual Administration Report of the Frontier Corps of Militia and Scouts.

- 27th.** The issue before U. P. landlords in connexion with the proposed tenancy legislation, were informally discussed at Lucknow at the residence of the Raja of Jehangirabad.

The first "dictator" Swami Ramananda Tirtha, of the Hyderabad State Congress and four of his assistants were arrested.

- 28th.** Mr. S. V. Parulekar, Labour leader, was asked by the Speaker, Mr. G. V. Mavalankar, to withdraw from the House when in the Bombay Assembly he made, in the course of his speech on the Trade Disputes Bill, certain remarks attributing partiality to the Chair.

Pandit Jawharlal Nehru declared in London, that British Imperialism was facing a difficult problem of its own creation in Palestine and made a sorry mess of it.

An authoritative interpretation of the Harijans Resolution on the Congress attitude towards Indian States, especially on its bearing on the Federal Scheme, was given by Sardar Vallabhbhai Patel in his presidential address to the fifteenth session of the Baroda State Subjects Conference held at Bhadrachalam. "Unless and until popular legislatures are established in the States and the States' administrations are carried on with the full consent and approval of the people's representatives", said Sardar Patel, it is futile to talk of Federation".

- 29th.** The Congress Opposition to this Federal Scheme was reiterated by Mr. Subhas Chandra Bose at a public meeting at Shillong.

Mahatma Gandhi, writing in the 'Harijan', pointed out the value of Hindusthani as the common language for India.

- 30th.** The Raja of Serikella, President of the Council of Rulers, Eastern States Agency, issued a statement on the recent happenings in some of the States in Orissa.

That an essential condition of Federation was responsible Government in the States was the view expressed by Sardar Vallabhbhai Patel at a Baroda State Conference.

The Tariff Board arrived at Srinagar to investigate the silk industry in Kashmir, and the officials were busy preparing a case for protection of the industry in the State.

The Executive Committee of the British Indian Association, Lucknow met to discuss the deadlock caused by the Oudh Taluqdars as a result of a resolution passed by the latter in connexion with the U. P. Tenancy Bill.

A plea for more control of world affairs by women with a view to obtaining more friendly relation between nations was made by Lady Mirza Ismail.

- 31st.** Mr. Subhas Chandra Bose, Congress President replying to an address presented by the Cotton College Union Society, said, "You are living in a period of transition and of struggle. It is your rare good fortune that you are seeing the rebirth of the Indian nation".

The negotiations between the Ministerial Coalition party and the Opposition Moslem Group in the Bengal Assembly finally broke down.

## NOVEMBER 1938

**Chief Events :—**Labour Disturbances in Bombay; Police opened fire—unrest and picketing in Rajkot State—Bengal Premier's allegations against Congress Ministries—Death of Maulana Shaukat Ali, eminent Moslem Leader—Informal Conference of Rulers and their Ministers in Bombay—Income Tax Bill debate in the Central Assembly.

- 1st.** Mr. Subhas Chandra Bose, speaking to Congressmen at Gauhati, advised them to devote more attention to Assam's tribal people.

A statement denying the allegations made in the resolution passed by the Proja Party executive committee, issued by Mr. N. R. Sarkar, the Bengal Finance Minister.

In the Bombay Assembly, five of the most important clauses of the Trades Disputes Bill relating to illegal strikes and lock-outs and penalties were passed.

- 2nd.** Mr. Subhas Chandra Bose, Congress President, in a speech at Dhubri reiterated the Congress determination to fight Federation and urged peasants to gain the organization which he said represented the interest of the country.

Indian Cotton interests closely affected by an agreement concluded in Cairo for new quota arrangements greatly strengthening Lancashire's position in Egyptian markets.

Mr. S. Satyamurthi, Dy. Leader of the Congress Party in the Central Assembly, in a statement to the Press said, "I desire to warn His Majesty's Government, as 'a moderate Congressman myself' that if Indian States refuse to send their representatives to the Federal legislature by means of election, there is no prospect of Federation."

The Khalsa Diwan of Patiala State, in the course of an appeal to the subjects of the State, urged them to watch the result of the deliberations of the Constitution Committee and not to be led astray by mischief-makers from outside.

- 3rd.** In the Bombay Assembly, Mr. Jambadas Mehta and 14 of his supporters walked out of the House, during the third reading of the Trades Disputes Bill.

The Bengal Jute Ordinance, which was the subject of controversy in the Press, was defended by Mr. Nalini Ranjan Sarkar, the Finance Minister, in an interview with the Associated Press.

- 4th.** The Bombay Legislative Assembly passed the 3rd. reading of the Trades Disputes Bill by 55 votes to 25.

A plea for intensified national effort to utilize within the country its large agricultural and mineral resources was made by Mr. A. R. Dalal in his presidential address at the third quarterly general meeting of the Indian Chamber of Commerce in Calcutta.

Doprecating the misuse of the Congress Flag, Mahatma Gandhi said in Bombay that he would not hoist it on public buildings unless it was agreed to unanimously.

- 8th. Deforestation and soil erosion not only intensify floods but threaten subsoil water supply and reduce agricultural out-put, said Mr. M. R. Richardson at the annual meeting of the Central Board of Irrigation at Delhi.

Mr. Sarat Chandra Bose made an appeal in Calcutta to rally round the banner of the State Congress, which was to all intents and purposes, he said, the banner of the Indian National Congress.

- 7th. Serious labour disturbances occurred in Bombay. The Police fired twice on rioters.

Charges of "intense selfishness and ruthless sacrifice of Moslem interests" were levelled against Hindu Ministers in Congress Provinces by Mr. Fazlul Huq, Bengal Premier, in an open letter to the President of the Bengal Hindusabha.

A vigorous defence of the policy of the Bengal Government with regard to the release of the political prisoners was made by Khawaja Sir Nazimuddin, Home Minister.

Mr. B. C. Chatterjee, President of the Bengal Hindu Sabha, issued a statement re: percentage in services.

- 8th. Praise for the work done by the All-India Women's Conference during the the Health Exhibition at Shillong, was expressed by Lady Reid when she presided over the annual conference of the Assam branch of the organization held at the Lady Keane College.

The adjournment motion to discuss "curtailment of the liberty of the Press" by the Provincial Government was rejected in N. W. F. P. Assembly by 25 votes to 22.

The Bombay Assembly passed the 2nd. and the 3rd. readings of the Medical Practitioners' Bill.

- 9th. Full approval of Congress leaders' decision not to participate in the work of the Chatfield Expert Enquiry Committee on Indian defence was expressed by Sir Chimamul Sotalvad, the President of the Indian National Liberal Federation in the course of a statement to the press. Sir Chimamul pointed out that the British Government in this instance, repeated the blunder they had committed in constituting the ~~Salor~~ <sup>Sialor</sup> Commission.

- 10th. The Thakore Sahab of Rajkot announced in a notification that firm action would be taken to preserve law and order.

Death of Kemal Ataturk, President of the Turkish Republic and the maker of Turkey.

- 11th. Armistice Day was observed in Calcutta and other places with the usual impressiveness.

About 220 political prisoners in the Dum Dum and Aliporo Central Jails began a three day hunger-strike "as a protest against their treatment in Jails".

Writing in Harijan, Mahatma Gandhi reaffirmed his faith in non-violence as a remedy for the world's ills.

Although there had been some suggestions from Bengal for the re-election of Mr. Subhas Chandra Bose, as president of the Indian National Congress, these were not seriously considered in responsible Congress circles.

- 12th. An attempt by the Opposition in the Bombay Legislative Assembly to move an adjournment motion on the recent firing was lost.

A resolution condemning the policy of the Bengal Ministry with regard to the release of political prisoners, enunciated in the Government Communique on the subject was passed at a public meeting in Calcutta, presided over by Mr. Subhas Chandra Bose.

A scheme for the extension of the Youth Welfare Movement to the districts of Bengal was inaugurated.

Picketing was resumed at Rajkot and a Lathi charge was alleged to have been made to disperse a public meeting held in the evening.

- 13th. The Maharaja of Jaipur had a miraculous escape from death when the propeller of his plane dropped off while flying solo.

Eloquent tributes to the life and work of Kemal Ataturk were paid at a meeting of the Moslem Institute in Wellesley Square, Calcutta. The Maharaja-dhiraja of Burdwan presided.

- 15th. The Select Committee reported on the Bill to amend the Indian Income Tax Act of 1923, and the stage now set for the debate in the Central Assembly on a measure of the greatest consequence to the business community and private individuals alike.

The Central Assembly passed an official Bill seeking to widen Municipal franchise in Ajmer-Morwara.

The Bengal Government set up an expert committee to carry out an extensive industrial survey of the Province and to make recommendations.

- 16th. A conference of Directors of Industries of various Provinces and States interested in Sericulture was held in the office of the Tariff Board, Calcutta.

Some remarkable figures were given by the Finance Member, Sir James Grigg when he moved the further consideration of the Income-Tax Bill in the Assembly.

- 17th. In the Central Assembly, Sir Nripendra Nath Sircar, the Law Member was warmly applauded by Congress members in the Assembly, when he repeated for their benefit part of a speech he had made at the last Assembly of the League of Nations.

Various questions in connexion with the Sericulture industry were discussed at the resumed sitting of the conference of Directors of Industries of various provinces and States in Calcutta.

Pandit Jawharlal Nehru, accompanied by his daughter, Indira, returned to India.

The Government of Bengal addressed a circular letter to Commissioners of Divisions outlining the Government's revised policy in regard to water-supply, particularly in the matter of distribution and disbursement of State grants in rural areas.

The independent tribunal set up by the Mysore Government to inquire into the police firing in Vidhuraswatham village on April 25, published its report

- 18th. A plea for an adequate protective duty on imported raw silk was put forward before the Tariff Board in Calcutta.

There was a redistribution in some of the portfolios in the Bengal Cabinet following the appointment of two additional Ministers, Mr. Tamizuddin Khan and Mr. Shamsuddin Ahmed.

- 19th. Mahatma Gandhi wrote in the Harijan, "The Frontier Province must remain a place of frequent pilgrimage for me. For though the rest of India may fail to show true non-violence, there seems to be good ground for hoping that the Frontier Province will pass through the fiery ordeal."

The Director of Industries, Assam, gave his views on the question of granting protection to the sericulture industry before the Tariff Inquiry Board in Calcutta.

A challenge to the Premier of Bengal to substantiate certain allegations said to have been made by him against Congress Ministers was thrown out by Mr. Biswanath Das, Premier of Orissa, in the course of a letter to Mr. Sarat Chandra Bose.

- 20th. The demand for constitutional reforms by Indian States' subjects was discussed in a Press interview in Bombay by the President of the All-India States' People's Conference.

Sixteen thousand unemployed textile workers in Cawnpore sent a petition to the Governor of the U. P. through the Collector praying for help for removing some of their difficulties.

Mr. Subhas Chandra Bose, while inaugurating a Commerce Association at the Lucknow University, declared, "We do not want a struggle for its own sake; We want freedom without struggle if possible, and through a struggle if necessary. We have put our trust in God."

An appeal for the acceptance of Federation was made by Sir Shanmukham Chetty, Dewan of Cochin at a lunch in Madras.

At Lucknow, Mr. Subhas Chandra Bose addressed a huge gathering. He said, "India wants to attain her goal not through the weakness of Britain."

- 21st.** In the Central Legislative Assembly, Mr. A. Aikman, Leader of the European Group referred to the "permanently hostile attitude of income-tax officials towards assesses" and suggested that these officials should be asked to remember their duty to the public.

In the Central Assembly, a question was asked regarding Mahatma Gandhi's statement that he knew he would not be allowed to visit the tribal areas in the Frontier Province.

Pandit G. B. Pant, the United Provinces Premier, inaugurating the Law Society of Lucknow University, said that the profession of law was worth preserving because there was room for virtue in every walk of life.

- 22nd.** The Committee of the Indian Mining Federation urged that the interests of economy would be better served if the output of railway collieries were restricted to a minimum, and if larger quantities were obtained from the market.

In the Central Assembly, discussion on the Income-Tax Bill was resumed.

During the supplementaries on the questions in the Central Assembly regarding the consultations and progress made as regards the introduction of Federation and Opposition Benches protested when the leader of the House declined to answer certain question, answer to which, according to him could not be given in public interest and in view of them.

- 23rd.** Speaking to journalists at Lucknow, Mr. Subhas Chandra Bose, Congress President referred to the question of the Congress formulating its foreign policy.

The case against Sardar Vallabhbhai Patel on a charge of defamation filed by Mr. Jayantilal H. Amiu, of Bombay, was withdrawn by the complainant.

- 24th.** In an interview with Press representatives at Lahore, Mr. Subhas Chandra Bose expressed his views on the future of Bengal Ministry.

A communique issued by the Maharaja of Bikaner, as President of special Committee of the Chamber of Princes appointed to deal with the reorganization described the work of the Committee, in session in Bombay.

Sir Chimanlal Setalvad, the President of the National Liberal Federation of India, in the course of talk on the Liberal party of India, declared the return of the Indian National Congress to constitutionalism marked the triumph of the principles of Liberalism."

- 25th.** Mr. Subhas Chandra Bose, addressing a public meeting at Jullunder, declared that if the Federal constitution was forced upon India, a Satyagraha would be inevitable.

An increase in the outturn and higher prices for tea are revealed in the report of the Director of Agriculture in Assam, on tea culture in the province for the year 1937.

- 26th.** His Excellency, Lord Brabourne, Chancellor of the Calcutta University paid an eloquent tribute to the educational work of Mr. Syamaprosad Mookerjee when he conferred the honorary degree of D. Lit. on him,

Mahatma Gandhi wrote an article in the Harijan, on the persecution of the Jews in Germany and advised them to choose the path of non-violence to vindicate their position on earth.

In the Central Assembly, after a debate lasting six successive sittings, the House agreed to the Finance Minister's motion that the Income-Tax Bill as it had emerged from the select committee be taken into consideration.

The Central Provinces Government decided to intervene in the affairs of the Nagpur Municipality which were reported in chaotic condition following dispute between the present office-bearers and the Congress Party.

- 27th. The death occurred in Delhi at the age of 65 years of Maulana Shaukat Ali, eminent Moslem leader. Representatives of the various parties and sections of political opinion in India joined in paying tributes to the illustrious deceased.

Mr. Subhas Chandra Bose, in a speech at Gujarkhan (Punjab) described the Congress as the non-official parliament of the country.

- 28th. A vigorous speech in support of unity between bigger and smaller States was made by the Jam Sahib of Navanagar, the Chancellor of the Chamber of Princes, when opening an informal conference of Rulers and their Ministers in Bombay.

In a Government Communique were described the efforts of the Premier and other Ministers of Assam to bring about an amicable settlement between Hindus and Moslems.

Mrs. Sarojini Naidu, replying to addresses presented to her by the Cuttack Municipality said, "No community in India, whatever its numerical strength, its wealth and its power can achieve national independence by itself."

Maulana Shaukat Ali was buried on the eastern side of Jumma Masjid, the famous mosque at Delhi, before a large and representative gathering which included his colleagues in the Central Legislature.

His Excellency Lord Brabourne, Governor of Bengal, held his first investiture Durbar at Government House, Calcutta.

- 29th. His Excellency the Viceroy discussed the problems of agricultural marketing in opening a conference of Ministers from British India and from the Indian States.

Various matters connected with the welfare of women were discussed at the annual meeting of the All Bengal Women's Union, held in Calcutta. Her Highness the Maharani Suharu Devi of Mayurbhanj presided.

When the informal conference of Princes and their Ministers resumed its sitting in Bombay there was a general discussion of the scheme for the reorganization of the Chamber of Princes.

At a conference with party leaders, at New Delhi, the Finance Member, Sir James Grigg, it was understood, made it clear that any agreement that the conference might arrive at regarding "discriminatory" provisions in the Income-Tax Bill could only be put in effect with the consent of the Governor-General.

Replying to an address of welcome presented by the Ravenshaw College students' Union, Mrs. Sarojini Naidu disapproved of organizations of students on communal lines.

- 30th. Speaking at St. Andrews' Day Dinner in Calcutta, Major General G. M. Lindsay expressed the opinion that the Auxiliary Forces would, in a future war, be asked to take a far greater part in the defence of Calcutta.

The Central Assembly, having agreed to postpone consideration of the clauses in dispute, proceeded with the discussion of the Income-Tax Bill and altered two clauses.

The States Conference at Bombay agreed on ratios for the representation of the various groups of States on the Standing Committee of the Chamber of Princes.

The contributions of Sir Jagadish Chandra Bose to Science were recalled at a memorial meeting to the Scientist, held at the Bose Institute in Calcutta.

## DECEMBER 1938

**Chief Events**—Income Tax Bill Debate continued in the Central Assembly—All India Landholders' Conference at Darbhanga—Reforms Controversy in the Rajkot State—Viceroy's important statement on Federation at the Associated Commerce Chamber in Calcutta—Holding of All India Conferences—Muslim League at Patna, Hindu Mahasabha at Nagpur and Liberal Federation at Bombay.

**1st.** In the Assam Assembly, the motion expressing no-confidence in the Bardoloi Ministry, which was tabled immediately after the Cabinet's formation, was not pressed when the winter session opened.

A joint session of the U.P. Legislature met to discuss the deadlock over the Stamp and the Court Fees Bills.

The informal conference of Princes and their Ministers at Bombay concluded.

**2nd.** The Federal Court, in its first case of importance, held that the Central Provinces Act to buy a sales tax on petrol is not ultra vires of the Central Provinces Legislature.

The Central Assembly passed the motion censuring the Government for associating themselves with a memorial to an officer and 22 men of the 75th. Gordon Highlanders.

A joint session of the U. P. Legislature passed the Stamp Bill.

The present session of the Punjab Assembly came to an abrupt end following the failure of the Premier to get the chair to free it a 'non-stop' sitting.

**3rd.** Mahatma Gandhi wrote in the Harijan "If the Congress feels that it has the power to offer effective interference it will be bound to do so when the call comes."

The death occurred in Calcutta of Sir Brojendra Nath Seal, the eminent Bengali philosopher.

The joint session of the U. P. Legislature discussed the Court Fees Bill.

A Bill to amend the Sylhet Tenancy Act was, after being opposed by the Government, negatived by the Assam Assembly, opposition not claiming a division.

**4th.** Mr. B. C. Chatterjee, President of the Bengal Hindu Sabha, in a statement said that it was to India's interest to remain within a free and federated British India.

Mr. Subhas Chandra Bose, Congress President, discussed at Karachi with the Sindh Premier matters relating to the provincial Ministry.

Mr. H. S. Suhrawardy, Labour Minister, Bengal addressed the Indian Seamen's Union, Kidderpore, when he opened a night school for the illiterate members of the Union.

**5th.** In the Central Assembly a statement that Ottawa agreement would not be continued beyond the end of the next Budget Session was made by an-official spokesman.

The Congress Coalition Ministry in Assam scored a narrow victory in the Assembly when the Opposition demanded a division refusing permission to a Government supporter to withdraw a resolution.

In the Central Assembly good progress was made when several clauses of the Income-Tax Bill were passed.

The Assam Assembly accepted a resolution recommending to the Government the release of political prisoners.

**6th.** The agreement reached at a Conference of Central Assembly party leaders on certain amendments to the Income-Tax Bill was communicated to the Governor-General for necessary sanction.

Following the agreement reached between the Moslem League, the Congress Party and the Government in connexion with the Income-Tax Bill, two members of the European group tabled six amendments to three vital clauses of the Bill.

In the Central Assembly Mr. S. Satyamurthi asked a question regarding the financial effect on India of the concessions to the British Army.

**7th.** The Aga Khan in a Press interview at Karachi, stated that he would do his best for bringing about the communal unity.

The Government of Bengal issued a note correcting certain reports in the press on the labour unrest in jute mills area Calcutta.

The Central Assembly passed a large number of clauses of the Income-Tax Bill.

A remark by the President of the Central Assembly that the House "is becoming like a bazar" evoked protests from the Congress Benches.

**8th.** The Central Assembly took up clause 4 of the Income-Tax Bill and rejected the Congress Nationalist amendment relating to the basis of taxation of foreign income.

In the Central Assembly a number of questions relating to India's cotton trade was asked by Mr. T. S. A. Chettiar, Mr. S. Satyamurthi and Prof. M. G. Ranga.

The Commerce Member in the Central Assembly replied to questions regarding the shipping rate war in pilgrim traffic.

The Assam Cabinet defeated a no-confidence motion moved against them by four votes.

The Viswabharati Exhibition of Arts and Crafts was opened in Calcutta by Mr. Subhas Chandra Bose.

**9th.** The Central Assembly passed the clause 4 of the Income-Tax Bill.

The monopoly of martial spirit and aptitude claimed for the Punjab by Sir Sikandar Hyat Khan, was challenged by the Liberal Leader Sir Chimanlal Setalvad.

Presiding at the prize giving of the St. Xavier's College, Calcutta, Lord Brabourne said that the true purpose of education was to constantly translate experience into wisdom.

The Assam Cabinet won another victory over the Opposition, re : remission of land revenue granted for 1938-39.

The Ruler of Rajkot State announced a number of important reforms—the Legislature to retain its fully elective character

In the Central Assembly, the true purpose of the additional import duty on salt was explained by the Finance Member.

**10th.** The Central Assembly concluded the discussion on the Income-Tax Bill.

The Aga Khan believes that the prospects of Federation "are fairer than ever," but he thinks that the general opinion among the Princes is not in favour of Federation.

The advice which Mahatma Gandhi gave to Travancore State Congress deputation which saw him in November last, was the subject of a statement to the Press by Mahatma Gandhi.

Landlords from all over India met in Conference at Darbhanga and decided to form an All-India Landholders' Federation.

The Congress President, Mr. Subhas Chandra Bose issued a statement on the Jute Ordinance and the strike situation in certain jute mills in Bengal.

Mr. Bhulabhai Desai, Leader of the Opposition in the Central Assembly supporting the motion that the Income-Tax Bill, as amended be passed, paid a

tribute to the contribution of Sir James Grigg and the members of the European group towards bringing about the agreement on clause 4 of the Bill.

- 11th. At Wardha among the subjects discussed by the Congress Working Committee were the Indian States and the Bihar-Bengali controversy in Bihar.

Sardar Vallabhbhai Patel issued a statement on the scheme of constitutional reforms in Rajkot State.

Addressing the Convocation of Lucknow University, Pandit G. B. Pant, the U. P. Premier said that there was plenty of work for educated men in the villages.

The Maharaja Kumar Sir Vijaya of Vizianagaram, speaking at the Landholders' Conference at Darbhanga, referred to the need for goodwill and cooperation among zemindars and tenants.

His Excellency Sir Francis Wyllie made his first public speech at Nagpur since his assumption as Governor of the Central Provinces when he addressed the Nagpur University convocation.

- 12th. Reference to the Viceroy's sympathy for the riot and His Excellency's efforts to improve the country side was made by the Maharajadhiraja Bahadur of Darbhanga, proposing the toast of Lord and Lady Linlithgow at a dinner given in honour of their Excellencies' visit to Darbhanga.

The Central Assembly passed the third reading of the Income-Tax Bill and the Wheat Bill, and the House was then adjourned sine die.

- 13th. His Excellency the Viceroy arrived in Calcutta.

The European Group in the Assam Legislature issued a manifesto setting forth the main aims of the Group.

Mahatma Gandhi drafted a resolution at Wardha, defining the policy of the Congress towards the Indian States.

Replying to an address of welcome in Khurda, the Orissa Premier referred to the unrest in some of the Orissa States.

- 14th. The Congress Working Committee passed a resolution relating to the attitude of the Congress to Indian States—welcoming the awakening of the people of the Indian States in many parts of the country.

Nine political prisoners were released from the Gauhati jail in pursuance of the Assam Government's decision.

Mr. M. A. Jinnah declined the invitation of the Defence Secretary to serve on the Indian Sandhurst Committee.

Sir Patrick Cadell, Dewan of Rajkot, issued a Press Note in reply to Sardar Vallabhbhai Patel's statement of reforms in Rajkot State.

- 15th. The Congress Working Committee passed a resolution declaring the Hindu Mahasabha and the Moslem League as communal organisations.

His Excellency Sir Henry Haig at the Jubilee dinner of the Upper Indian Chamber of Commerce in Cawnpore, pointed out the need for industrial peace and the way to that peace.

The Bengal Land Revenue Commission issued a questionnaire. The Commission will tour several other provinces with a view to comparing the level of rents and the condition of ryots there, with those of Bengal.

- 16th. A communique by the Government of India stated that the Government had no intention of allowing a lowering of the present Exchange Value of the rupee.

Mr. H. G. Wells, the eminent author, in an interview in Bombay stated that he could not agree that the policy of non-violence was a panacea for the world's present troubles.

The Congress Working Committee discussed the Hindu-Moslem question but did not come to any definite conclusions.

In performing the ceremony of laying the foundation stone of the Agricultural Institute at Dacca, the Bengal Premier referred to the Ministry's scheme for improving agriculture in the provinces.

Speaking at the Madras District Political Conference, Mrs. Sarojini Naidu referred to Federation and the communal question.

- 17th.** Mahatma Gandhi in an article in the Harijan replied to criticisms levelled against his appeal to Jews in Germany to practise the creed of violence.

A tentative programme of work for the Assam Ministry was prepared by the Congress President and the parliamentary sub-committee.

Under the caption "Red tape", Mahatma Gandhi wrote in the Harijan, "If the Ministers are to cope with their new responsibility, they must discover the art of burning red tape".

- 18th.** His Excellency Sir Roger Lumley, Governor of Bombay, stressed the value of the work of the Historical Records Commission at the opening of the session of the Commission at Poona.

Nawabzada Liaquat Ali Khan, Secretary of the All India Moslem League, speaking at Nagpur stated that Moslems desired an honourable settlement with the Congress but no agreement could be arrived at so long as the Congress was not prepared to recognize the League as the only representative organization of Indian Moslems.

- 19th.** An important statement on the prospects of Federation was made by His Excellency the Viceroy in opening the annual meeting of the Associated Chambers of Commerce in Calcutta.

Sir Mohamed Zafrulla Khan and Mr. A. J. Raisman are to succeed Sir N. N. Sircar and Sir James Grigg as the Law Member and the Finance Member to the Government of India, respectively. Dewan Bahadur Sir A. Ramaswami Mudaliar will succeed Sir Mohamed Zafrullah Khan as Commerce Member.

- 20th.** Presiding at the annual general meeting of the Federation of Employers in Calcutta, Sir Edward Benthall stated that the employers were determined that labour should have a fair deal.

Mr. M. A. Jinnah issued a statement on the Viceroy's appeal to give the Federal scheme a trial. In this connexion he criticized the working of provincial autonomy in the Congress provinces.

An appeal to the Viceroy to remove the "ugly features" of Federation was made by Mr. Satyamurthi at a speech in Bombay.

- 21st.** Unequivocal support for the Federal plan was voiced by Sir Edward Benthall, President, speaking at a meeting of the Council of the European Association in Calcutta.

The Congress President, Mr. Subhas Chandra Bose, in a statement on the Viceroy's speech in Calcutta said that His Excellency's speech did not call for a change in the Congress attitude towards Federation.

An appeal for a better understanding between landlords and tenants was made by the Bengal Minister for Revenue in opening an exhibition at Port Canning.

The possibility of Congress forwarding a positive demand for Purna Swaraj and making use of sanctions if the British Government persisted with the Federal Plan was indicated by Mr. Subhas Chandra Bose.

- 22nd.** The Central Advisory Board of Education, appointed to consider the Wardha Education scheme published a report with the following observations. "All criticisms directly or indirectly implying that child labour is to be exploited for economic purposes, so that the schools can be wholly or even partially self-supporting is irrelevant. Critics, therefore, who believe that the schools will be industrial or vocational in the narrow sense and that the system is intended to force young children into prescribed vocations have not appreciated the real significance of the Wardha Scheme."

**23rd.** Mr. Satyamurthi refuted Mr. Jinnah's statement to the effect that provincial autonomy was not functioning on democratic lines in the Congress administered provinces.

**24th.** Mahatma Gandhi writing in the Harijan on District Boards, suggested reforms in Municipal bodies with a view to their forming themselves into brigades for national service.

Mr. Jinnah, the President-elect of the Moslem League session, was accorded a great reception on his arrival at Patna.

The Secondary Education Committee of Orissa recommended the provincialisation of a large number of aided schools in the province.

**25th.** The Sindh Premier had several interviews with the Leader of the Opposition in the Sindh Assembly with a view to arriving at a compromise over the ministerial tangle in the province.

The Forest Committee in Bengal issued a questionnaire on forest preservation in the province.

Sir Sikandar Hyat Khan at Lahore emphasized the need for military training of Indians.

**26th.** Rajkot trouble ended—The Durbar agreed to the grant of responsible Government. The compromise was arrived at after a heart to heart talk between Sardar Patel and the Thakore lasting for several hours.

The 26th. session of the All India Moslem League session commenced. Mr. S. A. Aziz, chairman of the Reception Committee delivered his address followed by the President, Mr. M. A. Jinnah who attacked Mahatma Gandhi for giving to Congress what he termed a Hindu outlook and Hindu ideals.

**27th.** A resolution favouring the launching of civil disobedience in Bihar, the United Provinces and the Central Provinces was passed at the open session of the All India Moslem League at Patna.

The Satyagraha movement by the State Congress Parties in Rajkot and Hyderabad suspended.

Presiding over the Depressed Classes Conference at Erode, Mr. M. O. Raja paid a tribute to the British Government, saying that the Congress Ministries were only continuing the good work done by the British.

**28th.** The All India Moslem League passed a resolution criticizing British policy in Palestine. A resolution on the agitation in Indian States was also passed.

The thirteenth session of the All India Women's Conference is meeting in Delhi.

Announcements with regard to responsible Government were made in two States, Benares and Ramdooorg.

Mr. S. Satyamurthi, presiding over the second session of the All India Local Self-Government Conference in Calcutta, urged the abolition of useless bodies and praised the time honoured institution of village panchayats.

Mr. V. D. Savarkar, President-Elect of the 20th Annual Hindu Mahasabha, arrived at Nagpur. Mr. M. G. Chitnavis, Chairman of the Reception Committee, said, "We feel that the Congress has no right to stand on behalf of the Hindus and bargain our rights to a third party without consulting us. Mr. V. D. Savarkar, in the course of his presidential address said, "We Hindus made the Congress what it is today, but it has suddenly turned against us who raised it to a position of power over some seven Provinces in India." He predicted, Hindus will fight single-handed and win the country's freedom.

**29th.** In Bombay, Sardar Vallabhbhai Patel speaking on the agitation for responsible Government in the States, said, "If Rulers and people are left to themselves the problem in each State will be easily and peacefully settled."

An anti-war resolution moved by Mrs. V. L. Pandit was unanimously adopted by the All-India Women's Conference at Delhi.

Mr. Jinnah attacked the Congress Party and referred to the arrests of people in Madras in connexion with the Anti-Hindi agitation and the firing in Bombay over the Trades Disputes Act.

- 30th.** The Hindu Mahasabha at its open session at Nagpur passed a resolution accepting Federation as being in the interest of the solidarity of the Hindu community.

Mr. P. N. Saprú stressed on the wisdom of choosing Dominion Status as the goal of India at the annual conference of the Indian Liberal Federation in Bombay.

An appeal for communal unity, particularly in Bengal, was made by Mr. S. Satyamurthi in an address in Calcutta on "State and Religion."

Sir Henry Gidney, on his return from England said in a speech at Bombay, that the time was not far off when the leaders of all communities in India would coalesce.

The All India Local Self-Government Conference adopted resolutions favouring joint electorates in Municipal administration, and making voting at local bodies election compulsory.

"Understand politics and do not be blindly led by a few intelligent leaders", said Pandit Nehru addressing 50,000 kisans at a political conference in the United Provinces.

- 31st.** Several speakers at the National Liberal Federation criticised the Congress Executive for its interference in the administration of Ministries in the Provinces.

A committee to devise means for the formulation of a scheme for imparting military training to Kshatriyas was formed at the Conference of the All-India Khatriya Mahasabha in Calcutta.

The United Provinces Political Conference passed a resolution expressing the view that provincial autonomy was too restricted for effective progress and rejecting the Federal scheme.

A request for greater facilities for Indians in the country's defence forces was made at the National Liberal Federation.

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# INDIA IN HOME POLITY

## INTRODUCTION

The events and developments in India and outside during the time, the last six months of 1938, that form the subject matter of this study, represent a time of disappointment and disillusionment, of the "retreat" of democracy as people generally understand it to be. Both inside and outside the country, these events and developments have made men and women cynics, losing faith in principles and policies for which they have suffered and sacrificed. The beginning of the period marked the end of a year of Congress "rule" in the majority of the provinces of India. Within the limits of the constitutional arrangements made by the Government of India Act of 1935, all the Ministries, Congress or non-Congress, have been trying to bring some measure of relief to the masses, to heal up certain of the wounds that centuries of neglect, of exploitation, have inflicted on the body politic. Rent, revenue and debts have been scaled down; the rights of the cultivator to the fruits of his labour have been recognised; his ownership of the soil is all but recognised; and he and the labourer in fields and factories occupy the centre of the stage in the evolving life of India to-day. A breath of fresh air has been wafted into "the authoritarian atmosphere of India"; new hopes have risen in hearts overlaid with frustrations of centuries; new visions of better life float before the people's eyes. This mood of hopes and doubts was described by Pandit Jawaharlal Nehru after the fateful decision of the Indian National Congress allowing Ministries to function in its name and on its behalf :-

"But the responsibility is ours in the eyes of the people; and if we cannot discharge these to their satisfaction, if hopes are unfulfilled and visions unrealised, the burden of disillusion will also be ours. We have to keep the right perspective always before us, the object for which the Congress stands, the independence of India and the ending of the poverty of the people. We have at the same time to labour for smaller ends which bring some immediate relief to the masses. We have to act simultaneously on this double front."

The disappointment and disillusionment that have overtaken many of us in India are to be traced to the feeling that in accepting the Ministries and in guiding the administrative machinery the leaders of the Congress, its guides and philosophers, appear to be neglecting the objective for which successive generations have been striving—the independence of India. Small reforms are enemies of the great re-form and re-construction of human life. In India we are witnessing an example of this debacle, say the critics inside the Congress. The masses appear to be dissatisfied; strikes and *Kisan* movements are unmistakable evidences of this dissatisfaction; leaders may have helped to give

organised expression to this, but the seed-plots must have been ready everywhere, in every province. The classes also appear to be dissatisfied. They have been called upon to make material sacrifices without which relief could not be brought to the masses ; for *Swaraj* they were and are prepared to make sacrifices, to make the supreme sacrifice. But that *Swaraj* is not visible on the horizon. So they think and so they feel and they are dissatisfied. They unload their dissatisfaction on the head of the leadership of the country. They think and feel that they are entitled to a relaxation of the discipline now that the fight with British Imperialism has resulted in the occupation of certain of the strategic positions hitherto under its control and in its possession. These appear to be the psychological factors influencing the growth of that impatience that is directing excited attacks on the Ministries in all the provinces of India, on the leadership of the National Organisation. This impatience shows that the majority of the people have not yet been trained into those habits of constructive thinking and activity that can build a new national life on foundations broad-based on the self-respect and self-knowledge of the widest commonalty of the realm. To an observer of the Indian scene these marks and notes of immaturity appear as pangs of the birth that must seek and find its fulfilment in a new sense of responsibility for everything that happens in India, for which we cannot much longer hold the external authority responsible before God and men.

This dissatisfaction amongst the classes had one out-burst on the occasion of the Ministerial changes made in the Central Provinces and Berar. It is a peculiar story which exposed all the forces of disunity in the country, individual and sectional, personal and regional. The Premier of the Province, Dr. Narayan Bhaskar Khare, resigned on the 20th. July, 1938 along with two of his colleagues ; he called upon the three others to resign in pursuance of the parliamentary convention that the resignation of the Premier required the resignation of the whole Ministry. These three gentlemen refused to resign, specially in view of the fact that the Working Committee of the All India Congress Committee, the supreme Executive of the organisation, was due to meet in three or four days' time, on the 23rd. July. The Governor of the provinces called upon these three Ministers to resign and on their refusing to do so pending advice and instruction from the Parliamentary Sub-Committee of the Congress Working Committee, they were dismissed and a new Ministry was formed with Dr. Khare as Premier. This was the Ministerial crisis that startled India in the last week of July, 1938, and precipitated a controversy that was marked by bitterness and a spirit of mutual recrimination unusual in recent history. Questions of parliamentary and constitutional propriety were raised that touched and pointed towards far-reaching principles of democratic Government said to be put into jeopardy by the methods adopted by the Working Committee of the Congress to give a quietus to the crisis.

During the controversy that followed, pointed expression was given to the view that the crisis was due to the incompatibility of the feelings

and sentiments, the interests and ambitions, of the two areas in the province that were divided by differences in the language spoken in them—the Mahratta-speaking and Hindi-speaking areas of the province. The majority of the members of the Central Provinces and Berar Assembly belonged to and represented the Hindi-speaking area known as the Mahakal province in the Congress geography. Owing to differences between the leaders of this group, each one trying to be Premier, that high position went to Dr. Khare who had been upholding the Congress cause in the Congress province of Nagpur. It was also said that latterly the Mohakoshal leaders had made up their differences, and wanted to wrest the position from Dr. Khare. Personal and group considerations have played their part in politics, and there is nothing strange if they did so in creating difficulties in the Central Provinces and Berar Ministry. One can imagine the ex-Premier of the province being driven to desperation by the constant pressure of his colleagues who were withholding team-work. Dr. Khare's statement went to show that almost from the very beginning the Ministry had been divided; that before a year was out four of the Ministers had placed their resignations in the hands of the Premier, and could only be persuaded to withdraw them at the request of the Parliamentary Sub-Committee; that the Panchmarhi Compromise Day, 1938, was forced on the Ministers by the attitude of the All-India Congress Party, the majority of whom threatened that either the Ministers must make up their differences or they must be prepared to step down from these high positions. Charges of nepotism and jobbery had been brought against individual ministers in the Press, and the Premier was charged with being too docile in the hands of the permanent services. The blunder of Mr. Shareef, Minister in charge of Law, in releasing a Muslim prisoner, a former inspector of schools charged with the heinous offence of insult to the chastity of a woman, without consulting other members of the Cabinet, revealed a certain state of discordance in the Ministry, pulling down the prestige of the Congress. This was the back-ground of the crisis that overtook the province.

The condemnation of the C. P. and Berar Premier by the Working Committee on July 26, which was ratified at the full session of the All-India Congress Committee in September following, did not take into consideration these personal and regional factors. The resolution of the Working Committee is quoted below :—

"After having heard the Parliamentary Sub-Committee and given anxious consideration to the circumstances that have happened since the agreement arrived at in Panchmarhi between the Ministers.....and after having had several interviews with Dr. Khare, the Working Committee have reluctantly come to the conclusion that by a series of acts committed by Dr. Khare culminating in his resignation of his charge and demanding resignation of his colleagues of their charges, Dr. Khare was guilty of grave error of judgment.....He was also guilty of indiscipline in that he acted in spite of warning against any precipitate action."

"His resignation was the first direct cause of the exercise for the first time since the acceptance of office by the Congress by a Governor of his special powers whereby Dr. Khare's three colleagues were dismissed.....Dr. Khare was further guilty of indiscipline in accepting the invitation of the Governor to form a new Ministry, and contrary to practice, of which he was aware, in actually forming

a new Ministry and taking the oath of allegiance without reference to the Parliamentary Sub-Committee and the Working Committee, specially when he knew that the meetings of these bodies were imminent."

In the letter addressed to the Governor submitting his second resignation as Premier, Dr. Khare admitted that he had come to realise that in submitting his first resignation, and in forming a new Cabinet he had "acted hastily and committed an error of judgment." The admission had but one meaning and that was that the Parliamentary Sub-Committee and the Working Committee had the final say in the matter of constituting or re-constituting Ministries in the provinces that would work in its name and on its behalf. Dr. Khare's statement of July 25 conceded and accepted the validity of this claim. "I also wish to make it clear that if the Congress High Command is prepared to decide that the whole of the first Congress Cabinet Ministers should go, and that six new Congress M.L.A.'s should be selected to form a new Cabinet I will be willing to accept that proposition". No explanation except a momentary fit of exasperation can explain the decision of Dr. Khare to precipitate matters in the way he did. And a sentence in a letter of Maulana Abul Kalam Azad dated July 14, must have first suggested to Dr. Khare that he could make or unmake the Ministry—"And in case of their default, they (Dr. Khare's colleagues) will be responsible for it and your position as a Prime Minister will be strengthened if you do not wish to work with them, and *take others in their place* (the italics are ours). The italicised words, as we said before, suggested to Dr. Khare the line of approach to removing the difficulties in his way created by a number of his colleagues in the Cabinet. He must have been further strengthened in his impression by the "Instrument of Instructions" issued for the guidance of Congress Ministries and in an indirect manner of the Governors of provinces, by Sardar Vallabhbhai Patel as Chairman of the Parliamentary Board on July 30, 1937, soon after Congress Ministers assumed office :

"In view of the collective responsibility of the Cabinet, and in view of the present position of the Congress Party which is naturally not very strong, the Governors should be requested to deal with the Prime Ministers. The practice of the Governors calling individual Ministers should not be started or must be discouraged. On special occasions individual Ministers may be called with the consent of the Prime Ministers."

These must have been the suggestions, direct and indirect, that influenced Dr. Khare to make the fateful decision that he made, a knowledge and appreciation of which were necessary for understanding the affair that has been the cause of so much controversy and bitterness in Indian politics.

The Working Committee of the Congress passed judgment on the Governor of the province, in the following terms :—

The Working Committee has also come to the conclusion that the Governor of the Central Provinces has shown by the ugly haste with which he turned night into day and forced the crisis that has overtaken the province, that he was eager to weaken and discredit the Congress in so far as it lay in him to do so."

There is no manner of doubt that the Governor was constitutionally correct in acting on the advice of the Premier, Dr. Khare ; he may in

a way be said to have followed the Congress "Instrument of Instructions" quoted above. But what was constitutionally correct might not be politically prudent. The Governor was not well-advised in accepting so hastily the advice of his Premier; he should have counselled patience to Dr. Khare, specially when he knew that the Working Committee, the supreme Executive of the Congress, would be meeting in his neighbourhood, and would take cognisance of the matters that divided the Ministry. Failure to observe this reticence laid his action open to misunderstanding and made it liable to the condemnation put on it by the Working Committee.

The personal considerations and grievances apart, the way in which, the methods by which, the Working Committee of the Congress imposed its decision on Dr. Khare and his colleagues came in for the widest criticism from the Press and the public of India. These ways and methods have been criticized and condemned as ways that lead to dictatorship, methods that consolidate the powers of autocracy and oligarchy. And the speeches and writings of members of the Working Committee, and of its guide and philosopher, Mahatma Gandhi, has deepened the conviction that the Congress has been trying to establish the dictatorship of a party, though the party may be the most organised representative of Indian feelings, the most powerful instrument for the advancement of Indian interests, for the defence of Indian self-respect. Dr. Pattabhi Sitaramayya, a member of the Working Committee, in course of his speech moving the resolution on the Khare affair at the meeting of the All India Congress Committee held at Delhi in September compared the hierarchy of the Congress to that of the British bureaucracy in India; referring to the Congress organisation he said: "We have erected this structure in the same manner in which the British administration is being run. We have our own Secretary of State, our own Governor-General, Governors and officials down to the village *patwari*." And criticising those who talked of democratic principles being involved in the solution of the C. P. and Berar Ministerial problem, Dr. Pattabhi showed an ignorance of the checks and balances that are a part of democratic government :

"If there is any person who imagines that our structure should be subordinated to the flimsy notions of democracy and parliamentary conventions, let that person remember that we are in a stage of transition. Those goody goody notions of constitutional propriety are not applicable to the Congress in the present conditions prevailing in the country....."

Mahatma Gandhi has been as uncompromising both in his criticism of Dr. Khare, of the Governor of C. P. and Berar, and of the critics of the Working Committee. In an article in 'Harijan' he has explained the reasons for which Dr. Khare was condemned by the Working Committee—his indiscipline in confronting it with a change of Ministry three or four days before his action would come to it for ratification and approval, keeping it in the dark on a matter that touched the honour and unity of the Congress; he charged the Governor with breaking the "spirit of the tacit compact between the British Government and

**Democratic  
Methods  
Derided**

**Tacit compact  
between the British  
Government  
& Congress.**

the Congress"—the "gentleman's agreement in which both are expected to play the game." The logic of this line of thought has been working out in the conduct of both the parties to the unwritten agreement; they agree to refuse to exploit the difficulties of each other. It explains many of the developments in Indian politics which appear to people as switching the fighting organisation to ways of peace.

Mahatma Gandhi has been no less emphatic in repudiating the charges, that the Working Committee has been shaping itself after the pattern of the Fascist Grand Council. He asserted that the Working Committee is not likely to develop like this as it is anchored in non-violence, though it may talk the language of war. The functions of the Congress in organising the forces and resources of the people are explained as follows :

"For internal growth and administration, it is as good a democratic organisation as any to be founded in the world. But this democratic organisation has been brought into being to fight the greatest imperialist power living. For this external work, therefore, it has to be likened to an army. As such it ceases to be democratic. The central authority possesses plenary powers enabling it to impose and enforce discipline on the various units working under it. Provincial organisations and Provincial Parliamentary Boards are subject to the central authority".

Mahatma Gandhi's elucidation of the question that was agitating the public mind for months since July, 1938, is true to the facts of life. The fear that this discipline may develop into authoritarianism in society and State is genuinely and widely felt. Experience has told the world that the use of the language of democracy, of the democracy machinery of elections, voters, committees does not halt the possibility of individual and group dictatorship. This may be so. But Gandhiji's prescription of non-violence offers a safety valve to the generation of any such tendency. No better has been offered. And the human mind must continue to wrestle with the problem of reconciling discipline with democracy. Because in human mind the urge to discipline and to democracy, conscious and unconscious, is found existing almost side by side for the organisation of that complete personality that has been the quest of all human endeavours in individual, group and social life in its widest ramifications.

A little further analysis may be made of the grievance about totalitarian tendencies said to be developing in the leadership of the political movement in India. In the name of democracy in economic and political life, in the hope of establishing this in these two spheres of social life, many restrictions have, in recent history, been placed on the freedom of the individual and of the group in Soviet Russia, in Germany, in Italy. This development has led to the intensification of a feeling of despair of democracy. These restrictions and encroachments have by their violence made the human heart sick, and the human mind sceptical of any human ingenuity being able to reconcile discipline with democracy; they have generated a violence of resentment against all forms of discipline. The planning of human life discussions

about which are such a feature of modern life is coming to be regarded by an increasing number of men and women as an abomination, and the primitive anarchy of human nature is struggling to assert itself. For building a new social life on newer foundations immense abridgements of liberty and almost wholesale suspension of elementary human rights, have been taking place all over the world that offend the deeper instincts of us all. For, it is not reasonable to expect that planning can be carried on consistently among free men, that is to say, among men who have their own plans for their own lives, or that planning in the full sense of the term is possible where discussion is free, or that a social order can be managed if those who compose it are not regimented. The experiences of the last two decades have taught the world more through its instincts than through any rationalised study of the whole thing that in a planned society no liberty is tolerable that would delay or hinder the execution of the plans ; that any completely planned economy ends in the setting up of an authoritarian State.

It is thoughts and fears like these that should be recognised as partly explaining the outburst of anger and resentment on the occasion of the C. P. and Berar Ministerial crisis. The same opposition had manifested itself when Mr. Nariman was taken through the purgatory a year back, though it did not attain the all-India character as that which we have been discussing here. But Mahatma Gandhi has put the issues plainly and unambiguously before the Indian public. The Congress is an instrument forged by the instinct of self-preservation and self-defence on the part of the Indian people ; it is an instrument of offence and defence in the fight for the freedom of the country, for the capture of political power, The imperialist Power against which it directs its attacks and from whose attacks it must protect itself is as highly organised an instrument of coercion as modern science and human ingenuity can make it. This machinery has been trying through the more than one-hundred and seventy-five years to mould us into forms of humanity that would serve its purpose and add to its glory. In that process of the re-making of the moulds of our social life, of the re-shaping of the Indian people, the inherited traditions that are the marks and notes of Indian civilisation, the symbols of India's self-respect, have been flattened out, many of them twisted beyond recognition. Indian protest against this process has been ringing loud since the beginning of the century when Bengal registered it with her life-blood. Since then it has been waxing stronger till today the whole of India is in revolt against the attempt at the subversion of a great culture. This has become possible, this has been made possible because we have imposed on ourselves some sort of a discipline that would so harden us that we can withstand the blows, and strengthen the nerves of our understanding to resist and stand up to the pretensions of the great imperialist Power, the greatest in the modern world. Since the foundation of the Indian National Congress when satisfactory steps for a national organisation were first taken round which would slowly and naturally be gathering the diverse units of our

Discipline and  
fight against  
Imperialism

continental country so that in the ordering of nature and in the fullness of time it may provide the Indian people with an alternative Government. The growing intensity of the fight between Indian Nationalism and British Imperialism has been driving it home into our consciousness that the nation must put itself into more strenuous discipline, must consent to put itself into prolonged training in body and mind, must accept the control and sacrifice of natural instincts so that these may be sublimated into that strength of human steel that alone can wrest power from alien hands and through eternal vigilance maintain the self-interest and the self-respect of the nation. Mahatma Gandhi has been trying through these twenty years to carry the country along a particular line of discipline, of self-organisation that has enabled the nation to evolve a certain amount of strength, to reach certain of its minor objectives. For the attainment of *Svraj* he expects and desires that the same process of discipline, more extended and more intensified, should continue. But doubts have raised their heads about the wisdom of this discipline, question marks have been put against the possibility of this discipline ever leading the nation to that free and independent life that is the mark and note of a self-respecting nation, self-assured as such, and accepted by the free nations of the world as an equal amongst equals.

The doubts and questionings that have been assailing the public mind of India in relation to the methods followed by the Indian National Congress in the pursuit of its ideal of national independence under the leadership of Mahatma Gandhi are part of those that have been challenging all the world over all the accepted values of human conduct, individual and social. It has to be recognised that modern life and its institutions are the products of the Illumination that burst forth in France. Through her connection with Britain, India was brought into intimate spiritual and physical contact with the forces that re-made Europe and America during the last fifty years of the 18th century. These years saw the birth of a new ideal—the organisation of the world on rational rather than on historical lines. Emboldened by the new easiness of life promised and effected by the progress of scientific knowledge and its exploitation in the service of humanity, many thinkers thought and believed that it would be possible to construct a new society free from all the defects to which the former miseries in the life of societies were due. The idea of the rational ordering of the world filled the minds of 18th century British thinkers and French philosophers. To the Encyclopaedists the history of the past was the history of despotism, of superstition, of the exploitation of the poor and the weak, of the frustrations of their lives. They believed and acted on the belief that the powers of reason would create a new world of equal opportunities and a new social stability reared on the contentment of all, and upheld by knowledge spread amongst widest commonalty. This belief was the driving power of the great upheaval known to history as the French Revolution whose influence has touched the life of remote peoples, stirring among the desires and hopes long suppressed, opening before their eyes new vistas of life. The question was no longer that of gaining the kingdom

The Light that  
came from the  
West

heaven, but of building an earthly kingdom where liberty, equality and fraternity would be springs of human conduct. In our own country Raja Ram Mohun Roy welcomed the French Revolution in this spirit ; he represented India welcoming the modern spirit and its achievements.

The French Revolution did not realise all the hopes of the philosophers. The Napoleonic episode was an evidence of this failure and disappointment. The great Consul and Emperor, brought up in tents, coming late into the revolution "only understood the material and the interested side ; he had no faith in the moral wants which had given rise to it", to quote the judgment of Mignet on him. But unconsciously to himself he was the hammer of the Revolution that battered down many of the walls of separatism outside his country. To quote the same writer again, he gave,

**Napoleon's  
Contribution  
to Revolution**

"Amidst all the disastrous results of his system,.....a prodigious impulse to the continent ; his armies carried with them the ideas and customs of the more advanced civilisation of France.....Napoleon effected for the material condition of States what the Revolution had done for the minds of men. The blockade completed the impulse of conquest ; it improved continental industry, enabling it to take the place of that of England.....Thus Napoleon, by agitating nations, contributed to their civilisation."

This is an almost unescapable development in human affairs, a revolution followed by autocracy.

The 19th century saw also the birth of new ideals of social organisation. It was hoped, and a part of the hope has been realised, that science would enable people to produce goods so easily and abundantly that men and women would be freed from the necessity of slaving for their material needs as they did in the past, that science and knowledge would make it possible to frame laws so clearly necessary that there would be no necessity for the use of the restrictive powers of the State to compel people to obey them. For a time these hopes showed promises of fulfilment. Countries floated on floods of creative energy into empires exploiting virgin countries. Taking Britain, for example, one can trace the history thus. Since the Crimean war there was expansion of wealth and swelling of her empire to unimagined bulk. Prestige, more valuable than wealth, soared up and London became the clearing house of world trade, the dictator of world finance. In the halo of this development people were in no mood to notice that wealth was getting less and less common as the Commonwealth was expanding, and there appeared to be no indication anywhere but that life would go on getting pleasanter. In such a world that seemed pre-destined to happiness and the superfluity that goes with it, the mood naturally was to increase and multiply. Expanding wealth sanctified such a conviction. The ideal type of manhood and the admired type of womanhood were those that stood for stable homes built up by manly men, and fertile homes reared up by happy women. The products of these homes far'd forth to the ends of the earth to conquer and occupy new lands for the greater glory of Britain—that came to be taken for a symbol of the bounty of a benevolent God.

The war of 1914-18 dashed all these hopes to the ground. Scientists and philosophers still hoped that these could be renovated by eliminating the anarchy of competing nationalisms and by the organisation of a League of Nations. H. G. Wells wrote in 1907 :

"Humanity to-day behaves with the ineffectiveness of chaos instead of satisfying its needs with the effectiveness of any army. For, the anarchist efforts of individuals must be substituted by a world plan and universal discipline."

The compulsions imposed during the war by the State on men and women and which had been tolerated by them as a price to be paid at the altar of their country's freedom, the restrictions on and abridgements of civil liberty during the war years, paved the way for that dictatorship, that is a feature of modern State organisation to-day, for that "world plan and universal discipline" of H. G. Wells' ideal world. This idea of a super-organisation in which individuals shall be as mere cogs in the wheel had been made popular by the rise of Marxism which since 1848 had been preaching that the French Revolution had failed because it had failed to abolish the class system, and had substituted the domination of one class by that of another—the bourgeoisie had displaced the aristocrats, and feudal privileges had been exchanged for capitalist privileges. The real revolution would come when power would be placed into the hands of the proletariat, the workers in fields, factories and mines, who were the only producers of wealth. In 1938 it is difficult to be sustained by such hopes. The Russian revolution has worked out on the plane of ideas exactly like previous revolutions. It has also resulted in the rise to power of a new class, mostly recruited from the bourgeoisie—the bureaucrats and technicians. In most of the countries of Europe, the death of these hopes have given birth to Fascism, supported by the middle class, the lower middle class, who were being ground down between the nether stone of labour and the upper stone of capital.

The result is a great uneasiness in the air, an uneasiness that has made its way into the minds of men and women in all their various relationships. The generation that had lived before the war years have very few representatives living to-day. The generation that in its youth had passed through the war years, through its exaltations and idealisms, that had been feted and feasted as heroes for whom a grateful country would build homes fit for heroes to live in, that generation stood disenchanted. They have seen great empires vanishing and countries changing hands as smoothly as over a counter. They had been partners in a great victory. In the victorious countries people would find it difficult to believe it if history did not tell them so. After two or three hectic years of a factitious prosperity and dreams of unending reparation payments, the heroes of the war found themselves starving and parading through the streets with military decorations on their chests. Their sons and daughters have inherited this disillusionment. Dwindling incomes have given birth to a new code and philosophy of

life. The vista of unending progress appears to be narrowing as science has made the world smaller. Discontent and doubt have invaded the fundamental beliefs on which modern civilisation was built up. The most thoughtful of men and women are most active in calling for a retreat and going back to the unadorned simple beauty of life. Those that lived their lives before the advent of these factors of doubt and discontent cannot understand the troubles that have set in. Those who have lived through this disillusionment have no time to mourn for the wreckage. They break from the ruins ; for, life goes on and will have no denial. This is a world-wide phenomenon. Without the excuse of a war near our doors, our country has been silently but surely undergoing the same transformation ; here also the sense of stability, economic and social, is weakened. The philosophies that upheld and maintained the conduct and the habits, of our predecessors, are found to be altogether inadequate, uninspiring and useless in assuring a career of success and sweetness. The present generation feel that the old ruts would hold their feet tight and clog their movements towards the land of adventure and reward.

The philosophy that Mahatma Gandhi had placed before the country, the call that he had issued for a return to the simplicities and realities of life, found acceptance on so wide a scale because of the disappointment of a war fought to make the world safe for democracy, because of a revulsion of feeling at a peace that betrayed the hopes and promises of a better world that had expressed themselves in the noble lines of Rupert Brooke :

**Betrayal of the  
Heritage of the  
war**

"Blow, bugles, blow ! They brought us,.....  
Holiness, lacked so long, and Love and Pain,  
Honour has come back, as a king, to earth,  
And paid his subjects with a royal wage;  
And Nobleness walks in our ways again,  
And we have come to our heritage."

The years that have followed have not been able to revive and restore those hopes. And hanging above the world today is the possibility of that wide-spread destruction, social disorganisation, the hopeless inconclusiveness of wars and its sacrifices which the world apprehends and has been preparing itself to pass through. Objective conditions in world politics and world economics go to show that men like Rupert Brooke died in vain, that honour, the sanctity of the pledged word, lie dishonoured, trampled under the foot of leaders of "democratic" countries. And the betrayal by the peoples of the "democratic" countries of Abyssinia, Spain and Czechoslovakia has been having its effects in our own country leading to a loss of faith in the words of statesmen, to a sickness and weariness of spirit that sees an evil marching victoriously forward but has lost the inclination or the power to intercept its march. We appear to be face to face with a situation which a historian of the French Revolution described. Writing on the apathy of the French people even when foreign armies were treading on their country, he said :

**Servitude  
of  
nations avenged**

"France was threatened in its own limits (1813), as it had been in 1799; but the enthusiasm of independence no longer existed, and the man who had deprived it of its rights, found it, at this great crisis, incapable of sustaining him or defending itself. The servitude of nations is sooner or later avenged".

This is the judgment of history passed after decades of the events that called it forth. The historian could be passionless or temporarily passionate. But we are witnesses of the freedom of nations being bartered in the name of peace, in dread of war. And the Indian people, the awakened among them, who feel every moment of their life the

**Loss of faith  
in political  
leadership**

shame and ignominy of a dependent existence, to them the events in Europe, the events in China, appear to be the nadir of a civilisation that has no right to live, that deserved to be given a quick burial. The criticisms of these betrayals made in the Indian Press and uttered on Indian platforms were passionately as bitter as in any other country, in the countries that had been betrayed. Fears and suspicions of the leadership of peoples are as strong in India as in the countries directly concerned with these affairs. This seems to be responsible for the bitterness of controversy that is evident today like unto an epidemic that threatens to affect almost every body. And an increasing number of people who take interest in public affairs, inside or outside the country, appear to be accepting the dangerous thought that it is right to be always suspecting human institutions, it is right not to put their trust in statesmen nor in any child of man. This is a dangerous mentality to be allowed to grow in the country; it leads to ineffective controversy, to bitterness; it holds a threat to the unity and integrity of public life, and eats into that sense of responsibility in the classes and the masses who will be as sheep scattered before a common danger, if this spirit of suspicion is allowed to grow. It is a dangerous development when men and women in India should fail to realise that their unfree condition dictates a community of destiny, either "the unity of a common purpose or the unity of a common debacle", of frustration and degeneration, of defeat in the struggle for *Swaraj*.

Vivid consciousness of these developments in the moral and material world that divide and separate classes and communities in India, that disable the people from pursuing a common ideal, and following a common programme to reach it, the fears and apprehensions born of this consciousness, these are the seed-plots of the controversies in our country. Of these controversies that between Hindus and Muslims occupies the centre of the field. The six months the public activities during which are recorded in this volume of the *Indian Annual Register* cannot report any progress towards the solution of the problem of communal conflict and disharmony. It appears that though physically neighbours, mentally and spiritually they have been drifting further apart. The majority of Muslims in India have Hindu blood in them, and India as we have her today is not the creation of a single race. Aryan and Dravidian, Mongolian and Semite all have contributed their part into the blood stream that courses through the veins of the country; in their life and customs, speech and thought, they have during the centuries learnt to accommodate into an unity the different cultures that

**Break-down  
of influences  
that unite**

are represented by monuments of magnificence and splendour. These are common heritages of the Indian people ; side by side they have grown, and they stand as witnesses of a composite life in which incompatibles, or things that are regarded as incompatible, have somehow fused and harmonised themselves. In life's every day activities Hindus and Muslims live as neighbours, co-operate as neighbours, and share one another's labours and joys and sorrows. But this co-operation of centuries is threatened with disruption. It was as a witness to this sorry state of things that Sir Akbar Hydari, Prime Minister of the Nizam's State, spoke in his Convocation speech at the Dacca University :

"Yet, is it not a tragedy that those very factors, which should inspire unity and assist the growth of a national consciousness, are to-day being used to emphasise separation ? .....Our common festivals, too, which are occasions when the joys and sorrows of one community are shared by the others, are fast becoming occasions for communal clashes, while movements are on foot even to boycott these meeting-grounds of the two communities where their two cultures mix and fuse."

This is the development with which the Hindu and the Muslim are face to face in this country. The men of peace, the men of amity, have their voices drowned by the raucous cries of frenzied communalism, of men in frenzy seeking out history to bring out facts of past injustices that irritate and inflame, to hurl at one another present inequalities that are a reproach to a certain maladjustment in our social life. Responsible men have owing to the bitter meanness of the whole controversy resigned and retired from their leadership, and in their place have come forward men who in the name of culture would divide the country into Hindu Zones and Muslim Zones heedless of all other considerations. During the months we have been discussing here has happened an event in Europe that encourages them to think that as the Sudetan Germans succeeded in disrupting Czechoslovakia, so the Muslims in India would be justified in taking areas inhabited by Muslims out of the Indian State. In the name of the self-determination of nations the Sudetan area was wrested from Czechoslovakia ; so in the name of the same principle Muslims could demand the setting up of Muslim States in the heart of India even if it needed vast exchanges and transfers of populations to facilitate this scheme of a new map of India. It is under the influence of some such ambition that at the last session of the Sind Provincial Muslim League Conference presided over by Mr. Mahomed Ali Jinnah, the following resolution was passed on October 10, 1938 :

"This Sind Provincial Muslim League Conference consider it absolutely essential in the interests of an abiding peace of the vast Indian continent and in the interests of unhampered cultural development, the economic and social betterment and political self-determinations of the two nations, known as Hindus and Muslims, that India may be divided into two Federations viz.—Federation of Muslim States and the Federation of non-Muslim States.

"This Conference, therefore, recommends to the All-India Muslim League to devise a scheme of constitution under which Muslim majority provinces, Muslim Native States and areas inhabited by a majority of Muslims may attain full independence in the form of a Federation of their own with permission to any other Muslim State beyond the Indian Frontiers to join the Federation, and with such safeguards for non-Muslim minorities as may be conceded to the Muslim minorities in the non-Muslim Federation of India."

It is possible to score debating points out of this resolution. But these would not help us to understand and explain the working of the mind that after seven or eight centuries of Indian domicile can and does assert that it is unrelated to the moral and spiritual life that is India's, that owing to doctrinal kinship feels itself nearer to Afghanistan, for instance, than to India, that seeks and finds a nearer neighbour in the Afghan than in the Hindu. We have to find out why the Muslim mind in India feels itself unable and finds itself unable to live in moral and spiritual neighbourliness with its Hindu neighbour; we have to find out what have been the impersonal influences that after centuries of some sort of a reconciliation worked out in India drive the Muslims to declare that they are a separate nation here. We have to find out among the many traditions obtaining amongst Muslims those that have stood in the way of their evolving a common life with peoples of differing creeds living in the same country. In successive volumes of the *Indian Annual Register*, beginning with that of 1936, we have tried to indicate certain of these. In the last volume we have said that the *Millet* idea—the “Religion-nation” idea—based on exclusively Muslim experiences of State-organisation gained in times when and in countries where they were rulers and could dictate policy, this *Millet* idea is responsible for the difficulty that confronts the Muslims of India and the Muslims in countries like Saudi Arabia, Iraq and Afghanistan who have not accepted the spirit of modern democracy.

The difficulty of Indian Muslims is due to the fact that they cannot accept India as *Dar-ul-Islam*, door or country of Islam because the rulers at present are non-Muslims; and even in the future, in the “*democratic Swaraj*” of Indian dreams and strivings, the authority of the State will be exercised by representatives of the people, the majority of them Hindus. Indian Muslims feel that the country is not and cannot be *Dar-ul-Aman*, door or country of peace to Islam, as there is likelihood of their religious and cultural traditions being subjected to interference or non-Muslim control. Therefore, India has been and is a *Dar-ul-Harab*, the door or country of enmity to Islam. Qazi Muhammad Ahmad Kazmi, a member of the Central Assembly, in course of his speech introducing his Bill entitled the “Muslim Dissolution of Marriage Bill” on August 26, 1938, uttered words that give us an inkling of the mind of the Muslims of India who find and feel themselves uneasy in this country. He was tracing the development of the feeling among Indian Muslims that India was an enemy country. He represented the community as feeling that it was immaterial to them whether the Mughals were ruling here, or the Sikhs were predominant, or the Mahrattas were at the head of the administration so long as they had liberty of religion, so long as freedom to exercise their religion “liberally and without any restrictions” was allowed. He quoted in support Moulvi Syed Ahmed of Rai-Bareilly who had brought Wahhabism into India and started a fight against the Sikh Government of the Punjab. It was in 1830. Peshwar was offered to him to rule over. But he is reported as replying,

**Millet  
“Religion-nation”  
Idea**

**Muslim prayers  
based on Dar-  
ul-harab idea**

"I am not fighting for the possession of land, nor am I fighting for property, but I am fighting only for the liberty of religion."

Qazi Muhammad Ahmed Kazmi suggested that it was after 1864 that this feeling grew stronger. On that year were abolished the posts of Hindu law-givers and Muslim *Qazis*. And,

"It was at that time that the Mussalmans began to think and consider whether India was *Dar-ul-Harab* or *Dar-ul-Aman* or *Dar-ul-Islam*. .....It was at that time that continuous agitation was carried on by Mussalmans and they decided that India was not *Dar-ul-Islam*, it ceased to be *Dar-ul-Aman*, and it was *Dar-ul-Harab*. Even up till to-day certain of our prayers are offered on the basis that it was *Dar-ul-harab*....."

Here we think we get an inside view of the mind of the Muslims in India who under the influence of old-world ideas are being taught every day of their life in their mosques that India was a country of enmity. We have been told of a sect among the Muslims of Bengal, about 30 lakhs strong, to whom congregational prayers are prohibited, owing to an injunction of the Quran. Because, in enemy countries the life of the faithful assembled in a congregation for prayers was likely to be exposed to attacks, leading to mass massacre. This daily repetition of India being an enemy country, the offering of daily prayers based on the thought or belief that India was *dar-ul-harab*, this practice creates and starts those mental processes that make the Muslims in India so impatient, that make possible the outburst of violence of thought and action at the slightest of occasions. Indian history of recent years is full of instances of this impatience.

This is the  
seat of  
trouble

The constitutional changes since those inaugurated during the time of Lord Morley known to us as the Minto-Morley reforms have also created fears that the arrival of democracy, the rule of the majority, might endanger the special interests of the Muslim community in India who are a minority in the country. The "favourite wife" policy of the British bureaucracy in India, the setting up of "a native counterpoise" to the pretensions of Indian Nationalism whose leaders were the majority of them Hindus, this also has helped to revive hopes in certain dreamers among the Muslim community that in the changes required to transfer the authority of the State from British to Indian hands there might be found chances of regaining Muslim control over the machinery of the State in India. These fears and these hopes supply the motive power of the forces of disruption and disturbance that constitute what is popularly known as the Hindu-Muslim problem.

And there are not lacking men in the Muslim community in India who have been building up a philosophic platform for Muslim Separatism in the country. In previous volumes of the *Indian Annual Register* we have discussed the history of the Pan-Islamic and Pakistan movements. The first has passed through many phases. Taking its rise in the resentment of Muslim peoples in Turkey and Egypt at the tyrannising predominance of Christian Powers over the life and conduct of Muslim countries, the Pan-Islamic movement offered opportunities to British

Constitutional  
Changes  
& Communalism

Movements ex-  
pressive of separa-  
tist ambitions

politicians to consolidate their position in Muslim countries. The history of the last Great War, the Arab revolt, organised and financed by Britain, against the rule of the Sultan of Turkey, the Khalifa of Islam, indicate certain of these activities. Supporters of British Imperialism in the Muslim community of India have also been active trying by the organisation of an Anglo-Muslim alliance to stabilise the rule of Britain in southern Asia, from Arabia to the Malaya archipelago, where the Muslim will be junior partners in the firm at present, hoping to rise in time to the senior partnership. It was to some such feeling and anticipation that we must trace the scheme adumbrated by His Highness the Aga Khan in his book—*India in Transition*—published during the war years. The scheme laid plans for the setting up of a South-Western Asiatic Federation of which India might be a constituent. After the war when Mr. Winston Churchill was Secretary of State for the Colonies in the British Cabinet he found in the archives of the Middle Eastern Department a scheme ready-made of a Middle Eastern Empire. At the end of the war Arabia and Persia appeared to lie helpless on the ground like clay in British hands. But the rise of Turkey under Kemal Ataturk, of Arab and Persian nationalism have pricked that dream, pricking at the same time hopes of political Pan-Islamism. The disappointment among Muslims at the failure of those hopes may be a contributory cause of the Muslim territorial patriotism in India an expression of which was the Pakistan movement whose inspiration is unmistakable in the resolution passed at the last session of the Sind Provincial Muslim League quoted above.

The hopes, the dreams and ambitions of Muslim separatism in India seek and find expression, a consistent expression, in this resolution. The resolution that represents these hopes, dreams and ambitions, we must do well to recognise, does not embody the desperate remedies of desperate politicians.

“Islam and  
Hinduism stand  
asunder.”

As in the Pakistan movement so in the scheme of a Muslim Federation in India there is a sort of idealism, divorced from realities it may be. If this scheme is to be accepted as representative of facts in Indian life, we have to recognise that it symbolises two just causes in conflict with each other which it is so difficult to reconcile. The scheme is the product of hopes and ambitions simmering in the mind of the Muslim community since their representatives ceased to be rulers in the country. The perusal of a pamphlet that appeared at the time the resolution was passed at Karachi strengthens this belief. It was entitled—*The Cultural Future of India*—an innocent title of a small book that has inside it materials explosive enough to make it necessary to re-draw the map of India, to disrupt the unity that nature has imposed on the country, so that in that disruption men may be enabled to realise their particularistic ambitions, and advance their particularistic interests. The pamphlet was written by Syed Abdul Latif, Ph. D. (London), ex-professor of English, Osmania University, Hon. Secretary, Muslim Culture Society, (Hyderabad Deccan), and Vice-president of the Hyderabad Academy. The theme that is elaborated in this pamphlet moves on the postulate that there is an absence in India of that ‘common moral consciousness permeating the life of the

entire body of the people who would like to live together as a nation." This thesis is further elaborated as follows. Ethnologically India is not homogeneous—it is a congeries of races and cross-breeds. This alone would not be a hindrance to the development of a single nationality, were the people culturally one unit. "Islam and Hinduism stand asunder"—the one a "monotheistic democracy" which for the sake of uniting humanity brushes aside all barriers of colour and language and race and those raised by geography ; while Hinduism is a "federation of religions and cultures, a social imperialism holding under its powerful grip through its Brahminic ritual people standing at every stage of intellectual development." There are here any number of points that may be challenged. The democratic plea, the social democratic plea, raised on behalf of Islam may be questioned ; the question may also be asked whether the unitary dictatorship of Islam or the federation of Hinduism is the better way of developing in life and thought the ideals and practices of democracy. But these pages cannot accommodate this controversy. In the previous volumes of the *Annual Register* we have tried to understand and assess the value of this plea of Islam. Here we are concerned with the forces of unity or disunity that have made India the scene of their operations, and how the former may regain control over the mind of the multitudinous peoples that constitute India. We have to take cognisance of the forces of disunity that threaten to disrupt the country. We have done it before, and we do it again, using Dr. Latif's words ;

"Torn between the cultural assertiveness of the Hindus and Muslims and subject to the guerilla tactics of linguistic provincialism everywhere, it is problematical whether a common language of the right sort may prosper and touch the masses in all parts of the country."

Dr. Latif brushes aside the work of the centuries of neighbourly work between the Hindu and the Muslim, now as opponents, now as fellow-workers, to make India what she is today. Neighbourhood through the ages, economic activities of every day life, have built up a common interest between Hindu and Muslim. On foundations such as these, a unity in State life has been reared which in the name of culture a section of Muslim thinkers and politicians propose to break. Perhaps, they constitute the dominant school of thought today in their community. The Indian National Congress through its Fundamental Rights resolution passed at the Karachi session in 1931 has guaranteed the civil and cultural rights of every unit, individual or communal, of the inhabitants of India. Dr. Latif regards these safeguards as "in reality a denial of the organic unity" of India. He emphasises his arguments in the following words :

**Safe-guards  
are a denial  
of unity**

"Religion, personal law and culture cover most of the major fields of life's activity—the spiritual, the social, the economic, the educational (or the intellectual, moral and aesthetic), and in the case of the Muslims, professedly the political as well. It is governed by their all-embracing Code of life called the *Sheriyat*. Under the Congress promise the interests of this *Sheriyat* will have to be safeguarded..... With cultural safeguards conceded to the Muslims, and in like manner to the Hindus, Christians and others, you really establish a federation of culturally autonomous nationalities and do not form a single nationality."

And, to be logical in his ideas, and to be logical in giving concrete shape to these in social and political institutions, Dr. Latif proposes in his pamphlet the division of India into Hindu Zones and Muslim Zones. The States inside these New States for the Muslim Zones will go to form the "All-India Confederacy" of Free States. To understand the far-reaching significance of these proposals it is desirable that the scheme should be given as far as possible in the words of Dr. Latif himself. He first of all lays the lines of the Muslim Cultural Zones, and taking them, so to say, out of the picture leaves the rest of the country to be put into the Hindu Cultural Zones. His North-West Block comprises Sind, Baluchistan, the Punjab, North-West Frontier Province, and the Indian States of Khairpur and Bahawalpur. This area may be converted into "a single autonomous State formed on the basis of federal relationship between the six units thereby allowing over 25 millions of Muslims a free home of their own." The North-East Block on the other side of India has "a solid block of Muslims in Eastern Bengal and Assam of over 30 millions, who may be assigned a free political existence." In between these two blocks in Northern India, the Muslims are unevenly distributed. Those who live close to each of the two blocks should be "attracted for naturalisation to the one nearer to them." The rest, the great bulk at present living in the United Provinces and Bihar, numbering about 12 millions, may be concentrated in "a block extending in a line from the eastern border of Patiala to Lucknow, rounding up Rampur on the way." This is the Delhi-Lucknow Block. The Deccan Block will be formed by the Muslims "scattered all over the south in colonies of varying size", exceeding 12 millions in number. For them a Zone has to be carved. "Such a Zone the dominions of Hyderabad may provide with a strip of territory restored to them in the south, running through the districts of Kurnool, Cuddapah, Chittoor, North Arcot and Chingleput down to the city of Madras." Such a strip of territory "with an opening to the sea will be found absolutely necessary to settle the large Muslim mercantile and marine community living for ages on the Coromandel and Malabar Coasts." The assignment of such a large block of territory to the small number of Muslims, only about 12 millions in number, is justified on economic grounds. The dominions of Hyderabad are still undeveloped or rather covered by forests or are barren rocky tracts; the Muslims to be gathered here from Orissa, Central Provinces, Bombay and Madras presidencies, Mysore, Cochin and Travancore have shown "phenomenal increase in population" during the last few decades, and "their future expansion is to be kept in view". Moreover, the Muslims of the North-East and the Delhi-Lucknow Blocks, confined within narrow Zones, should have in this area provision made for their surplus population of the present and the future. This is something like the claim for "lebensraum"—living space—made familiar to the world by Herr Hitler. The minor communities of Christians, and the jungle tribes and a vast section of the Harijans innured to the climate "may most likely stay on where they are as protected or privileged communities." There are "Minor Muslim Centres"—the States of Bhopal, Tonk, Junagadh, Jaora and others, and the Free City of Ajmer, to

which must be gathered the Muslims living in Rajputana, Gujrat, Malwa and the western Indian States.

The rest of India will thus be in a position to resolve itself into not less than eleven Hindu culture Zones. This scheme will require vast change of territories and populations. At first sight these may "create a wrench in the heart of many a person, Hindu and Muslim. But every incidental inconvenience should cheerfully be borne by everyone concerned" in view of the hope that "a new sentiment of an immeasurably higher and nobler form than that of earth-rootedness will be the inevitable reward"; the scheme will "permanently" assure to the Hindus and the Muslims perfect freedom to live their own cultural lives in home lands of their own. To get a complete idea of Dr. Latif's scheme, it has to be noticed that he cannot do without safeguards. Mention of these, provision for these, are necessary in the case of "individuals belonging to one or other of the several nationalities" who may have "to stay where they are for various purposes." Such persons and individuals are to be afforded "security of personal and cultural interests" under a "Public Law of Indian Nations" adopted by the Central Government. The Indian Christians, Anglo-Indians, Harijans, Parsees and Buddhists are promised the same consideration in each Free State "through all the necessary religious or cultural and economic safeguards." The Harijans who count by millions but are dispersed all over the country forming countless racial varieties but possessing no common culture between them, have to be given the fullest freedom to select their own place in either the Hindu nationality or the Muslim or the Christian.

We have given all this space to Dr. Abdul Latif's scheme, the fruits of which are to be found in the resolution passed at the last session of the Sind Muslim League Conference held at Karachi, with a view to psycho-analyse the hopes and ambitions that a section of the Muslim community in India have been nursing in their bosom. The Karachi resolution gives expression to these; Dr. Abdul Latif's scheme appearing at the same time has its origin in those dreams. His recognition of the principle of safeguards to be religiously observed both in Hindu and Muslim Zones cuts at the root of his argument about its inapplicability to the "cultural safeguards" promised in the Congress resolution. If an individual or groups of individuals can be guaranteed safety of cultural individuality in the future Federation of India as adumbrated in the pamphlet under discussion, it is difficult to understand why the 60 or 70 lakhs of Muslims at present living in the United Provinces of Agra and Oudh cannot live secure under the same or identical guarantees, and the one crore and more of Hindus and Sikhs in the Punjab. If the principle is valid in the case of few, it can be or ought to be valid in the case of millions. The Nizam's State in Hyderabad has a population of about 150 lakhs of people of whom about 125 lakhs and more are Hindus. These people must leave their historical homes in order that an equal number of Muslims may float into them from all parts of south India, because His Exalted Highness, the

**Invalidate Dr.  
Latif's  
argument**

Nizam, cannot satisfy them and assure them their civil and cultural rights or the Hindus are dissatisfied with the safeguards conceded to them. In the State of Kashmir, the Muslims are 80 per cent of the population; under Dr. Latif's scheme they must trek away from their homes and seek and find asylum in Muslim Zones in the neighbourhood.

In the hot-house of Hyderabad (Deccan) many a crudity can be made to grow and flourish which would wilt and wither in the free air and sunlight of heaven. We know that with the fall of Muslim power in northern India this State in the Deccan has been the Mecca of Muslim dreamers of dreams of the restoration of Muslim supremacy in the country. Readers of the books of Wilfrid Scawen Blunt, a British friend of Muslims if ever there was one, specially his book—*India under Ripon*—can have glimpses of these men. Dr. Abdul Latif is or appears to be lineal a descendant of one of them. His thesis shows that 20th century Islam in India cannot throw up better men than those who would build Chinese Walls round about certain areas in the country, who would set up Islamic ghettos in which Muslims will live as in the middle ages the Jews in Europe used to do, driven thereto by the fanaticism of Christendom. Here in India, in the 20th century, Muslims are called upon of free choice to elect to live in glass houses so that their culture may blossom under artificial sunlight. Dr. Abdul Latif and the school of thought whom he represents forget the lesson of the words of Julius Germinius, Ph. D., Nizam Professor of Islamic Studies, Visva Bharati, Santiniketan, Bengal, in his book—*Modern Movements in Islam*—that "the inspiration for progress in Islamic culture came from outside Arabia and had its origin in non-Arab sources." Again, "only deserts can remain isolated, and only deserts can shelter a society separated by its ancestral and pristine exclusiveness from the rest of mankind."

The spirit of separatism in a large section of the Muslim community in India is not the only disruptive force that threatens and imperils the growth of that nationalism in the country that has been the dream of successive generations of Indian public men, that has been the vision that has been leading them to strive for the day of India's deliverance from foreign rule. Provincialism or linguistic nationalism has been throwing a shadow over the Indian scene, and the bitter controversy that marks its career has been compelling many an Indian thinker to regard it as more inimical to the unity and integrity of India than even the communal claims that have been discussed in the preceding pages. Expression to such a thought was given by Mr. K. Natarajan, editor of the *Indian Social Reformer* of Bombay, in his Convocation Address to the Annamalai University in the Tamil Nadu. He suggested that communalism does not disrupt the unity of a country as provincialism or linguistic nationalism does. When he uttered these words he had not, we think, the words of the Sind Muslim League Conference resolution or Dr. Abdul Latif's pamphlet before him. This development apart, there cannot be any manner of doubt that provin-

cialism as it has been developing in the country is not an influence for unity amongst us. This fact was brought out prominently to public view by the controversies that have come to be known as the Bengalee-Biharee and the Andhra-Tamil problems, specially by the former. With regard to the latter the Working Committee of the Tamil Nadu Provincial Congress Committee was constrained to pass a resolution on July 19, 1938, in which the following words occur :

"The Committee, while supporting whole-heartedly the desire of the Andhras for a separated Andhra Province, and also expressing the eagerness of Tamilians for a separate Tamil Province which will give full scope for the development of Tamil culture and civilisation, deeply deplores the mentality exhibited by certain Andhra leaders and citizens who, purporting to agitate for the Andhra province, have commenced a campaign of vilification and hatred against the Tamilians and the Prime Minister."

The Bengalee-Biharee controversy did not call for notice from either of the Provincial Congress Committees. The members of the Press in both the provinces, with a very few honourable exceptions, did not observe this restraint. The Working Committee of the Congress took cognisance of the matter, and appointed Babu Rajendra Prasad, an ex-President of the Congress and one of its members, as an arbitrator to hear and receive evidence and memoranda tendered on behalf of the Bengalees of Bihar, from the Bihar Ministry, and from the Biharees. Mr. P. R. Das, an ex-Judge of the Patna High Court, argued the matter on behalf of the Bengalees expressing their grievances against certain administrative acts of the Congress Ministry of the province ; a memorandum on behalf of the Ministry was presented ; and Mr. Sachchidananda Sinha, an ex-member of the Governor's Executive Council, presented a memorandum drawing up the background of the whole problem. The last showed itself more concerned with the ways in which the Bengalees had consolidated their position in the Secretariat of the province, the centre and fountain of all official patronage in Bihar. The problem, divested of all bitternesses, may be stated thus. There are more than 20 lakhs of Bengalees at present in the province. Of these about 18 lakhs have been natives of the districts or parts of districts on the eastern border of the province for unremembered centuries. The necessities of the Bihar and Orissa province, constituted in 1912 by detaching the Biharee-speaking and Oriya-speaking areas from the Bengal Presidency of which they had been parts since the beginning of British rule, required that these Bengalee-speaking areas should go to help it set up separate household. Of the remaining two lakhs and a little more, the majority may be said to have been attracted there by opportunities opened by services under Government, in the professions of law and medicine and as educationists. This became easy and possible because Calcutta happened to be the capital of the country, and the Bengalees became pioneers of the new education introduced into the country ; they manned the services and the professions not only in Bihar, but all over the provinces and States in northern India. The Bengalees were the "school masters abroad" from Kashmir to Assam.

**Bengalee-  
Biharee  
Problem**

Now that the indigenous populations of those provinces and States have had that education, it is natural that they should be coming forward to demand and take the places that the Bengalees had occupied so long. It has happened in the Punjab, in the United Provinces of Agra and Oudh almost naturally and imperceptibly. The process did not take more than 30 or 40 years to complete the elimination of Bengalees from the services and professions in these two provinces. In Bihar the same process had begun working; the pre-"autonomy" Ministries in the province had taken measures to effect this. The success of these efforts were proved by the facts detailed below. In 1912 when Bihar was separated from Bengal the number of posts for the Provincial and subordinate Gazetted Services in the province was 872 of which 318 were held by Bengalees and 554 by non-Bengalees; in 1938 the number was 1,072 of which 322 were held by Bengalees and 747 by non-Bengalees. The Bengalees are about 6 per cent of the population of Bihar, and it is insisted that their proportion in the services should not be higher than their percentage in the population. To bring down the Bengalee ratio, so that the non-Bengalee products of the schools and colleges of Bihar may have employment, certain Circulars—the Brett and Owden Circulars—were issued that harped on Bengalee preponderance in the services with the obvious hint that measures must be taken to bring this down. These Circulars became the subjects of bitter controversy as they appeared to be discriminatory against Bengalees. The matter was carried to the Working Committee, leading to the appointment of Babu Rajendra Prosad as sole arbitrator.

The Memorandum submitted on behalf of the Bengalees in Bihar by Mr. P. R. Das sought to bring into focus the dangers implicit in the methods adopted by the Bihar Ministry. These may be put in a few words. India is a vast country, almost a continent, in which live men and women speaking different languages, wearing different dresses, guided by different traditions. To build out of this diversity a unity, to evolve a unity of life and thought and conduct,—this has been the quest of Indian history, the aspiration of Indian nation-builders throughout the centuries. Of the unity built by the *Mandalas* of Hindusthan when the Dravidians and Aryans ruled the country, we have very few authentic records. Of Akbar's dream during the Muslim period poets have sung and historians have written. That attempt failed in the time of his successors. The British rulers of the country by their methods of administration and enlightenment have raised a structure that have the lineaments of a new India, one, whole and indivisible. Provincial "autonomy" as sketched in the Government of India Act of 1935 will be threatening this idea if provincial jealousies and ambitions are allowed to grow and develop. This danger has threatened the unity of every big country on the threshold of their endeavour to build up a State, a federated State. Mr. P. R. Das referred to this experience of the United States of America in the following words :

**Dangers of Provincial discrimination—American Experience**

"It is well-known that at the time of the Union of the United States there were centrifugal forces at work due to jealousies between one State and another. The great framers of the American Constitution took note of this fact and provided in Article 4, Section 2 that "the citizens of each State shall be entitled to all privileges and immunities of citizens in the several States." .....It was found that this was not sufficient for the protection of the citizens against the discriminating legislation by any State; and so by a celebrated Amendment which was known as Article 14, it was provided that no "State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States". Mr. Bryce says that this Amendment secured the protection of citizens against unjust and discriminating legislation of any State."

The Memorandum submitted on behalf of the Bihar Ministry does not refer to this aspect of the matter. We cannot believe that they are unconscious of the threat and danger to which Mr. Das's Memorandum has drawn attention. The Ministry repeatedly asserted that it is the duty of every good government to find employment for persons residing in areas within its jurisdiction. No Government in the world to-day can be said to have reached this standard. The Government of Bengal has not been able to reach it, as the presence of lakhs of Bengalees in Bihar, in the Brahmaputra valley of Assam, in Burma, in Orissa testify. The Government of Bihar has not been able to reach it as the presence of 19 lakhs of Biharees in Bengal, of a few lakhs in Assam testify. These inter-provincial migrations make up the warp and woof of history. If this fact had been remembered in the controversy, it would not have attained the bitterness that it did. And if we can relate the sociological and economic facts of Indian life of recent times to the wider experiences of history, the sting would be taken out of the Bengalee-Biharee controversy. From a certain point of view, it must be recognised that these inter-provincial migrations are an evidence of a certain break-down of social arrangements. For, no body leaves one's home and homeland until poverty or ambition drives him to it. In this age in India, the Bengalee is not the only people who have taken to the high roads. From Tamil Nadu and Andhra-Desa an increasing number of people have been taking to the trains bound for the north and the west; from Rajputana men and women have settled in the cities, east and west.

But to return to the case of Bengalees and Biharees. The difficulties that confront them to-day are proofs of a break-down in their social arrangements. The disruption of the Moghul Empire has had its social and economic consequences. These were intensified by the failure and suppression of what British historians called the "Sepoy Mutiny", and Indian historians "War of Indian Independence". The social and economic structure of the region stretching from Delhi in the west to Binar in the east was cracked and crumbled by the impact of the new conditions introduced by the new rulers. Men and communities that had served and maintained the old rule lost opportunities for earning their livelihood. The policy of the British Government also helped the process of this disruption. Men and communities from this region had organised the 1857 fight, had taken the

lead in it. The British Government could not forget this fact. They stopped recruitment to their army from this region. And the people deprived and robbed of their professions marched east and west in search of new avenues of earning. The railways were being laid down ; mines were being opened ; chimneys of mills and factories were raising their heads into the sky ; Calcutta was becoming one of the largest ports of the world. Men from the United Provinces, from Bihar, supplied the Labour force for this new industrialism. Because, almost at the same time, malaria was decimating the areas in Bengal, which could have supplied it ; in course of ten years ( 1859—1869 ) about 10 lakhs of Bengalees died in the districts of Burdwan, Hooghly and Howrah. The break-down of the old economic arrangements embodied in the caste and guild system made men equal in their poverty—Brahmins—Dobey, Chaube, Chaturvedi rubbing shoulders in factories and mines, in railway stations as porters, with the untouchables. British administration thus provided openings to non-Bengalees in Bengal. The Bengalees also—Bengalees belonging to the higher and lower middle classes—flocked into the administrative posts open to Indians. Thus did they spread themselves in small groups all over northern India, in the provinces and States, as officers under Government, as lawyers, as medical men, as educationists. This is a part of the history of Bengalee-Biharee contact in British times. It shows Bengalees earning their livelihood in Bihar, and Biharees theirs in Bengal.

There is another way of looking at the thing, in assessing the value of this contact in rupees, annas, pies. In the autobiography of Sir Prafulla Chandra Roy has appeared an estimate of the earnings of the 20 lakhs of non-Bengalees in Bengal. It shows these people transmitting every year no less than rupees 100 crores to their families and homes outside Bengal—families and homes that are distributed over the area stretching from Bihar to Rajputana and the Punjab. More detailed estimates have shown that through the post offices in Calcutta and Bengal a sum of rupees 8 crores a year go to Bihar ; the district of Saran, for instance, accounting for rupees 1 crore a year. The rupees that these sojourners in Calcutta and Bengal carry along with them when they pay their annual visits to their homes reach an equal amount. As against this the earnings of Bengalees in Bihar has to be estimated. In the district of Saran the earnings of Bengalee residents do not exceed rupees 2 lakhs a year, a very small part of which can be transmitted to keep the home fires burning ; for, the majority of these Bengalees have their families with them. The habits of life of Bengalees outside Bengal are such that the majority of them spend their incomes in the places where they make them. If statistics could be gathered it could be shown that along the East Indian Railway lines the townships that have grown up beyond the boundaries of Bengal as a product of the Bengalee hobby for health resorts, a few crores of Bengalee money have been sunk in them. These health resorts have found occupations for the local people, have found buyers for their vegetable and dairy products.

These facts should have had some weight with the Bihar Ministry when they adopted their short cuts for the solution of educated unemployment in their province. They should not have forgotten the lesson of history that it takes time for a foreign element to be assimilated into the body politic of a country ; that the Sahayas, the Srivastavas and the Singhs have taken, many of them, a century or more to go through the change that enables them to claim to-day Bihar soil as their own. By stirring, untimely stirring, feelings, they have delayed the process in the case of Bengalees, perhaps halted it for a long time. They are not peculiar in these activities. In every province we meet with eruptions of these conceits and ambitions. In their own province of Bihar movements are afoot for the constitution of a separate province for Chota Nagpur and the Santhal Pergannas under the name of Jharkhand and another for the area round about Darbangha under the name of Mithila. In the Madras Presidency four language areas—Telegu, Tamil, Malayalam and Kanarese—are eager to set up separate houses ; in the Central Provinces and Berar Assembly a resolution has been passed, the Ministry supporting it, recommending the separation of Marathi-speaking and Hindi-speaking areas. In the Brahmaputra Valley of Assam, 25 lakhs of Assamese-speaking people have been dreaming of building up a separate culture centre in the area where they are not the majority. Every communal and language group has been preparing itself for the next census when each of them will be trying to return increasing numbers at the expense of neighbouring groups. This is how India is found preparing herself to wrest political power from the hands of Britain. And the thought leaders and the political leaders of the country have shown themselves helpless in face of this development. The resolution of the Working Committee of the Congress calling upon the people to “desist from any further agitation” in support of linguistic provinces, and assuring them that “the solution of this question would be undertaken as a part of the future scheme of the Government of India as soon as the Congress has the power so to do”, does not appear to have had much influence, specially in view of the manipulation of census figures that is apprehended. In these activities we stumble on certain imponderables—creed and culture—that have always refused to be guided by reason.

Internal disunities have been disabling the Indian struggle for political freedom. We have described in detail the two most weakening of them—communalism and provincialism. They are illustrative and not exhaustive of the many ways in which they have been expressing themselves. Outside India, near and far, the life and interests of India are being put into jeopardy. There are about 40 lakhs of Indians in different parts of the world from Fiji in Australasia in the east to British Guiana in South America in the west. The majority of them are manual labourers ; a few are agriculturists ; fewer are merchants and traders in a small way ; and bigger merchants and industrialists and professional men among Indians who can lead and guide the majority are still fewer. In the “colonies” of Britain and France, in the British dominions, in their pro-

tectorates and dependencies, Indians have no citizenship rights or even civil rights. The majority of them are "hewers of wood and drawers of water" for their white masters. Even in the best of times they live on starvation wages, on the border line of conditions that just allow them to exist. On an existence such as this has come the full blast of a world economic depression, bringing down the price of agricultural produce, bringing down the rates of their wages, while the price of manufactured goods, of clothes and other necessities of the common people, has remained comparatively steady. This has made for the worsening of the life of Indians abroad. Many of them have never known any other homes than in which they first opened their eyes on the light of the sun ; India is to them a memory, the homeland of their ancestors to which distance has lent an enchantment. They have lost touch with Indian traditions, and many of them have been lost to these. The Arya Samaj and the Islam Missions have for some years been trying to renew the old ties. These activities have revived interest in their fate and fortune among the inhabitants of the country from which came their ancestors to these foreign lands. But that country, unfree herself, cannot bring them relief, cannot secure them justice in social, economic and political relations in their new homes.

This is a rough picture of the life of Indians abroad. Nearer home, in our immediate neighbourhood, in Ceylon and Burma, have occurred events that have been straining the patience of India, straining to the breaking point the ties that bind them to India. In Ceylon there are about 10 lakh Indians, the majority of them, about 7 lakhs labourers in the tea, rubber and coffee estates of the island. They came from Travancore, Cochin, Malabar, and certain southern districts of Madras. When these industries were started more than half a century back under conditions of modern capitalism, the natives of Ceylon did not take kindly to them. Their old economy sufficed for their food and cloth ; more true, perhaps, it was that "agreement" labour made no appeal to them. Now that the old social institutions and economic arrangements have broken down under the impact of modern industrialism, they appear to be prepared to put themselves under its rigid discipline. But they find the occupations occupied by Indians who had been filling for sixty years and more the void created by their unwillingness or temperamental incapacity. An agitation has been started that the Indian labourers should vacate ; things are being made difficult for them ; an atmosphere of enmity is being created that can be felt always. The Government of Ceylon have been responding to the pressure of public opinion by administrative measures that are discriminatory in nature and unjust to Indians who have made Ceylon their home. The Ceylon Government passed an ordinance excluding Indian labourers on the plantations from the Village Committee franchise. Under protest from Indians, supported by the Government of India, the authorities of Ceylon has sought to remove this sting of discrimination by depriving the Ceylonese labourers of this franchise. This is unacceptable. For, while it will affect only about 60,000

Indians in  
Ceylon

Ceylonese labourers, the Indians affected will be more than five times this number. This may be equality in misfortune. But it is no solution for which more time should be given. Perhaps, it is not possible for Ceylon to wait. Therein lies the seeds of a conflict.

Ceylon has been trying to drive the Indians out by laws and ordinances. Our Burman neighbours have been using methods of blood and iron to secure the same result. On the 26th July, 1938, riots broke out in Rangoon and its neighbourhood in which Indian lives were lost, Indian shops looted, and Indian houses burnt; the streets were

#### In Burma

converted into battle-fields in which Burmans also suffered in life and limb, their number being comparatively small. The riots spread to Mandalay in Upper Burma and to other parts of the country. These continued with short intermissions for months till almost the end of year. More than 500 lives were lost, 2,000 were wounded, and more than 10,000 Indians fled the country, reached the land of their birth, men, women and children robbed and dispossessed of all that they had toiled for in the Land of the Pagodas. They reached safety, it is true, but nothing else. The immediate cause of the riots was a book written by a Burman converted to Islam. The book had been written in 1931 in which passages appeared disparaging the character of the religion of the Burmese people which has been Buddhism for about two thousand years. In 1938 the book was resurrected by a section of the Burman Press, and a campaign was started against the Muslims, a majority of whom were from India. The victims of the riots were the majority of them Muslims; more than 74 mosques and 2 Hindu temples were desecrated. The Prime Minister of Burma, Dr. Ma Baw, issued a statement in the first week of August when the situation had been brought under control. In it he stressed the religious issue that had led to the riots. And he could not resist the temptation of pointing the finger at occasions in India when the Hindu and the Muslim had flown at each other for identical reasons, when the Hindu and Muslim in India proved the sincerity of their credal convictions and the strength of their spirituality by breaking one another's heads, by having blood-baths which were supposed to refresh the souls of men. This was but touching the surface of the thing. It would be better to recognise, it would be ultimately harmful to ignore, the fact that this stupid and ignorant book and its writer would not have been given the notoriety they were given if the relations between the Indian and the Burman had been cordial and friendly. Unfortunately for all concerned these are strained and unfriendly for reasons that have not the remotest connection with religion or spirituality. The riots of 1930 had the same inspiration.

We are enabled to understand and explain the causes of this outburst on reading a pamphlet written and published by the President of the All-Burma Students' Union, since reprinted in the *National Front*, a weekly of Bombay. They were discussed in the book with frankness, without heat, without passion. The chief of these were economic and social. Burmans feel and see that Indians have established a pre-

**Fear of economic  
& social sub-  
jection**

dominance in their economic life that leaves them few openings for economic betterment ; it also often happens that Indians, Hindu and Muslim, contract connections with Burman women that strike at the roots of their social polity. These are in summary the grievances of the Burmans that have been inflaming their minds against Indians which burst out every now and then in murder and arson. A further analysis may be made to understand and explain the situation. The accident of a common subjection has brought India and Burma nearer to each other in recent history. As officials under Government, as lawyers, doctors, and educationists Bengalees have gone to Burma ; as members of the police and military forces men from the Punjab, United Provinces and Bihar have gone there ; as capitalists and industrialists Nattukottai Chettys from southern India and Gujaratis have taken advantage of the peace imposed by British imperialism ; as agriculturists and small shop-keepers men from the eastern districts of Bengal, from Orissa, Andhra Desa and Tamil Nadu have flocked into the country, and also as labourers in the industries, in the fields and factories, as porters in the docks. Many of these classes of people have created new avenues of earning both for themselves and for the indigenous population. There are about 12 lakhs Indians in Burma, and about 20 crores of rupees of Indian money put in Burman agriculture and industries. This success has generated a fear in Burman hearts that the hordes of Indian men and the hoards of Indian money are instruments for the subjugation of their country by methods of peaceful penetration. It is not of Indians only that the Burmans entertain this fear or against Indians only that they cherish this enmity. The Chinese are a growing community in Burma whose ranks are being swelled by "refugees" from China running for safety from the Japanese aggression of their country. And the Burman Press has already raised the warning voice that the new road from Yunnan to Upper Burma may open a high road over which will be trudging millions of peaceful Chinese—men, women and children—and submerge under their weight the native Burmans. We have to remember that the Chinese and the Burmans are near to one another in religious beliefs, in blood and colour ; and, if we dip into history, we may come upon traces of actual comingling of these peoples. With India there is only a sentimental tie woven out of the life history of the founder of their religion. But in the competitions and conflicts of life these sentimentalities wear thin as the rise and growth of provincialism in India have been demonstrating before our very eyes.

Inside and outside India these are the influences that have been remaking our minds, shattering many a dream, bringing us violently against realities. Brotherhood of man, federation of the world—these visions are melting away at a time when science has shown that these are realisable aspirations. A great fear and a great uneasiness are abroad. Free nations are getting unsure of their own position. And, India, a dependent country, is doubly so. She sees, the world sees, that the boundaries of many countries have been changing ; and many

Causes of growing interest in defence

more have been awaiting this doom. These apprehensions have also been finding expression in the Indian Press, in the Central Legislature. Public opinion in India has been demanding for more than fifty years that Indians, educated Indians, should be trained to habits of command in the Indian army, that recruitment to the Indian army should be open to all classes and sections of the population of the country. On the occasion of the Penjdeh affair (1885), more than half a century back, where there appeared to be a threat of the invasion of India by Russia, leaders of educated public opinion offered their services as volunteers eager to fight for their "king and country." The offer was refused with thanks. Since then many committees of enquiry in search for expedients to halt or meet these demands have enquired, and suggested means of enlisting the help and support of the "unbribed" intellect of India on the side of Indian defence. After the last Great War we have had a number of committees—the Esher Committee (1919), the Shea Committee (1925), the Skeen Committee, and the Chatfield Committee (1938). Except the third, the others have been concerned with the technicalities of army organisation. The report of the Esher Committee showed that it was set up for working towards a co-ordination of the fighting forces of the Empire. The experiences of the war had proved its necessity; "as a result of the great rally of opinion from all parts of the Commonwealth in favour of a unified organisation of war effort, there arose in the shape of the Imperial War Cabinet, a machine for the co-ordination of the higher questions of military policy". The recommendations made in this behalf, suggesting directly and indirectly the exercise of a considerable influence by the Imperial General Staff upon the military policy of the Government of India as upon the other Governments of the Commonwealth and Empire, were regarded in India as tightening the strangle-hold of British imperialism on India. This impression in India was not wholly unjustified. Even the most responsible public opinion in India could make no concession in this matter; it was prepared to co-operate only when India had in law and in fact the control of her military forces. Sir Krishna Govinda Gupta, a Bengalee civilian on the retired list, in his Minute of Dissent to the Esher Committee's report, gave subdued expression to this feeling. And, as a preliminary step, as a test and proof of the sincerity of the British Government in its promise of responsible Government for India, he suggested that Indians should be given King's Commissions, that enlistment should not be confined to the "martial races".

The Skeen Committee also suggested that Indians should be made eligible for employment as King's Commissioned officers in the Artillery, Engineer, Tank and Air arms of the Indian army; it also suggested that a Military College should be established so that Indians may not have to go to the Woolwich Military College or to the Cranwell Air Force College. The Indian Military Academy has been opened at Dehradun since 1932. A cadre of 60 entrants has been fixed for every year—30 to be recruited from the ranks, and 30 from open competition. If this scheme is adhered to, it will require 50 years to fully Indianise the

**For a stock-taking of defence arrangements**

Officers Staff of the Indian Army whose strength now is about 3,000. The Committee also suggested that by 1952, 50 per cent of the officers should be Indians. It appears, however, that that time table is not being followed. There should have been 450 Indian officers in the army in 1938; there were only 184 cadets from that Academy. The "Summary of Important Matters concerning the Defence Services, 1936-37" gives figures that go to show that the recruitment has been halved, and the reason given was that it was due to "elimination of the class of candidate who is manifestly not up to the required standard." Dissatisfaction with this state of affairs found expression through a resolution moved by the late Moulana Shaukat Ali in the Central Assembly on September 2, 1938, recommending to the Governor-General in Council that

"Early steps be taken to constitute a committee of the elected and other members of the Central Legislature to devise a scheme for implementing the following unanimous recommendation of the Indian Sandhurst Committee (1926), namely, 'It is, however, unanimously agreed that, whether the slower or the more rapid rate of progression is ultimately adopted, the scheme actually in operation should be reviewed in 1938, that is to say five years after the inauguration of the Indian Sandhurst, with a view to considering whether the success achieved is not sufficiently solid to warrant a further acceleration of the rate of progress.'"

The resolution was accepted on behalf of the Government. The growing interest of the people in this problem of the organisation of defence against external invasion and internal commotion was evidenced in two resolutions moved in the Council of State, the other Chamber of the Central Legislature. One was moved by Mr. P. N. Saprú recommending to the Governor-General in Council "to associate more closely the Legislature with the formulation and direction of defence," either by the appointment of a Standing Committee of the Legislature to advise on defence policy or by some other practicable measure. The resolution was opposed by the Government for reasons of constitutional and practical difficulty. The executive Government, which is after all responsible for defence, cannot "bind itself in advance to accept outside advice", that the first alternative interfered with the responsibility of the Executive Government; that problems which arises in the Defence Department depend on matters such as "general military police or movement of troops" that the Government would not be prepared to place before the Committee. The other resolution was moved by Sir David Devadoss recommending to the Governor-General in Council to take early steps to enlist suitable men from the Presidency of Madras for the army in all its branches and the air force; amendments were moved adding after the word "Madras" the words "and other provinces and areas not adequately represented in the defence forces." In the discussion that followed the provincial and communal stand-points came to be stressed. More than one speaker drew pointed attention to the fact that the Punjab with its population of two and half crores of people only should be the recruiting ground of more than half the number of the Indian army; Sir Ramunni Menon, a nominated non-official member from Madras, expressed "surprise that about 85 per cent of the army has its provenance from about 30 per cent of the total area of the country."

**Problem of  
defence—Indian  
participation**

The same point was made by Mr. P. N. Saprú in course of a speech delivered in connection with the Bill popularly known as the Anti-Recruitment Bill to punish activities for dissuading people from enlisting in the Defence forces of the country.

"We of the other provinces are as much interested in the defence of our country as the Punjabees are. Why must we be at the mercy of one province alone?.....I do not wish to see the domination of the Punjabees to be perpetuated.....If you were to widen the basis of recruitment, if you were to take recruits not only from the Punjab but from all the provinces also you would get plenty of soldiers in India....."

The Commander-in-Chief in opposing the resolution said that "recruitment to the Indian Army is at present on a class basis and not on a provincial basis"; he did not care to explain what are the virtues of this class basis; he simply stated the fact that "the military authorities have found by experience that certain classes do, as a whole make.....the most efficient soldiers and these classes are recruited for the army without regard to provincial boundaries." A list of the classes from which the Indian army was recruited gives the following by communities.

#### Mohammedans :—

Dekkani Mussalman  
Hazaras of Afghanistan

Hindusthani Mussalman

Madras " "

Moes

Pathans

Punjabi Mussalman

Rajputana & Central India

Mussalman

Mussalman Rajputs (Ranghars)

Miscellaneous Mussalman

Christians.  
Sikhs.

#### Hindus :—

Adi-Dravidas

Ahirs

Brahmans

Dogras

Garhwallis

Gujars

Gurkhas

Jats; Jats (Rajputana)

Kumaonis

Mahrattas

Rajputs; Rajputs

(Rajputana)

Tamils, Telegus

Miscellaneous

Hindus

This list does not show that the Government was wholly negligent of the language-areas as recruiting fields. A Muslim member from Bihar, Mr. Hussain Imam, however, gave expression to the dominant feeling and idea in the country which the Government will find it hard to resist much longer :

The plea has been taken that they got the best value for the money in the army which we recruit at present. That might be so, but surely other considerations must prevail, economic considerations, political considerations, the prospects of the future. It would be unthinkable to have autonomous provinces which have no military strength in them. We wish that there would be military tradition in the provinces demilitarised.....It would be wrong that only the part should supply the defence forces of India and the rest should be deprived of it."

In the absence of any definition of the "class" theory propounded by the Commander-in-Chief, one has to make an attempt to understand it in the light of the history of the British army and the idea at the back of the recruitment policy followed in it. Major General J. F. C. Fuller writing to the *Spectator*, a London weekly, said that "the English army is composed of only two classes—the top and bottom of society. In such an army the officers must either be aristocrats or proletarians; and these two types do not mix, or at best most indifferently." This "semi-feudal idea" in recruitment on which the British army was founded was brought out by a Swiss historian, Eduard Feuter, in his *World History* dealing with the period 1825-1920—from the end of the French Revolution to the end of the last World War. The thing which differentiated England politically from the continental countries was not "self-government" but what may be described as "Government by local magnates and an absence of Government bureaucrats." Elaborating this thesis, he said :

"They (the local magnates) exercised this authority as a matter of honour, but also naturally in the interests of their own class.....the division of power between the classes was the same in the army as in the civil service; that is, the same propertied classes who as justices of the peace, for example, ruled the agricultural day labourers and the factory workers in their districts, were also those who secured expensive places in the army; and the same proletarians, from whom were recruited the masses of workmen for the fields and the factories, also furnished the rank and file of the armies."

There is nothing peculiar in this. In almost all countries there has been such an evolution. In Japan, for instance, the rise of the Samurai classes illustrated it. In the provinces of India the same stratification of classes was visible. Vested interest of the Punjab Reasons of State led British bureaucrats in India to ignore the possibilities of broad-basing their recruitment policy for the army on the "feudalism" of the provinces other than the Punjab and among the tribes on the Indian frontiers. By the pursuit of that policy, as Sir Ramunni said, the Government has enabled "the present enlisting classes" to feel that they "have acquired a kind of vested interest" in the army; they have come to feel that the Indian army is "practically their preserve, and naturally enough they are opposed to any change which will reduce their opportunities for a career." The Premier of the Punjab, Sir Sikander Hayat Khan has been harping on this plea in his speeches to his fellow-provincials. Speaking at a conference at Lyallpur, he is reported to have stressed the point that his province received rupees four crores every year as pay and pension for the soldiers recruited from within its boundaries, and that the Punjabees should do well to be watchful of changes in army policy that would require the reduction of the percentage of Punjabee soldiers in the Indian army. Leaders of the Muslim League have taken the cue from speeches like these; and have been putting emphasis on the economic and political value of an army career in the life of their community. Therefore, have they been insisting that the present percentage of Muslim soldiers and officers in the Indian army should be preserved, and reserved for them in the future as well. This

is how discussions of Indian problems have acquired a habit of gliding into communal and provincial channels dividing and weakening the main current of Indian life.

Rising above these bickerings the mind of India has been reaching out to the consciousness that it is native hands that can defend their native land from internal defections and external attacks ; and from evidences available it shows itself determined to assert this right and extort this privilege from British hands. Even members of the British bureaucracy are found appreciating the fact that "in view of the conditions in the Far East and the general international tension", to quote Mr. G. A. Small, Director of Public Instruction in Assam, "it seems eminently desirable that the young men of Assam should be trained and prepared at least to protect their motherland in case of need". He suggested that units of the University Training Corps should be organised at Gauhati and Sylhet. The Assam rifles are largely recruited from Rajbanshis and similar castes ; there is "good material for soldiers even among the ordinary plains folk of the province." In every province "good material for soldiers" is available. And Provincial Ministries have been responding to public demand when they are found deciding to establish Military Training Schools for their provincials. The Calcutta University has introduced Military Science as a subject of study, and the authorities at Fort William have undertaken to co-operate in this work. The Aligarh Muslim University has also some such scheme under consideration. The foundation of the Bhonsla Military School at Nasik for which Dr. B. S. Moonje of Nagpur is entitled to the gratefulness of his people is an indication that the public mind has been moving ahead of the Government who will be forced to follow its lead. The School has been started with the goodwill of the Governor-General, the Indian Military authorities, and the support of Indian Princes and leaders of public opinion in the country. Opening the School, His Highness the Maharaja Scindia of Gwalior, underlined how it has grown in response to a great demand. The significance of the Institution

lies in the fact that Military training is as important a step in the advancement of the nation's progress as purely academic studies. To build up traditions in civil and military administration is not a matter of a day ; it has got to be inculcated in the minds of boys from the very beginning and gradually developed till it matures into almost a religious fervour."

The Nasik Military School is the first to be started under non-official auspices. Its *alumni* come from all the provinces of India. They are the pioneers who will revive in this institution the ancient traditions and by their life and work make it "the home and nursery of soldiers worthy of the expectations of their country." These constructive activities, and the controversies referred to above show that the problem of defence eclipses many others in India in their influence on the future of the country.

In industrial and agricultural life also there has not been any peace. The United Provinces and Bihar were rocking on agricultural discontents ; the proposals of the Ministries with regard to *sir* and *bakasht* lands have not appealed to the landlords in the former province, and to the peasants in the latter. In Bengal and Bihar transfer of

Indian initiative  
in military  
affairs

Measures for  
agrarian  
relief

occupancy holdings has been made free of the payment of *selami* (landlords' fee); in Bengal the landlord's right of pre-emption has been abolished. In the Punjab amendments of the Land Alienation Act have caused a furore that threatened to divide the province into two camps—town and country. The Act had divided the people into agricultural and non-agricultural classes, an artificial division that has made life abnormal. At a non-Agriculturist Conference Sir Gokul Chand Narang, an ex-Minister, illustrated the evils of this division. Men like the late Sir Fazli Hussain, and Sir Feroze Khan Noon, High Commissioner of India to Britain, were and are, according to the definitions of this Act, agriculturists, while men like the late Lala Harkishen Lal, an ex-Minister, and Mr. Monoharlal, the present Finance Minister of the province, were and are non-agriculturists. All these men were barristers, and, perhaps, never had gone near, or touched the handle of, a plough. The Madras Estates Enquiry Committee's report brought out the theory of the majority of the members which found that "the ryot was the owner of the soil and the zemindar was only a collector of revenue"; the same theory was put forward in discussions on the tenancy legislation in the United Provinces Assembly. There are indications that a growing number of landlords would like to be rid of the responsibilities of their position and "office" if they were compensated. Their position has become anomalous, and owing to this they cannot settle down to any constructive work and contribute their share of work and talent to national well-being. But during these controversies there have appeared notes of interrogation with regard to the future, with regard to whether the *ryotwari* system made for the real welfare of the cultivator of the soil. Students of economic facts of Indian life and observers of economic tendencies show that the *ryotwari* system has not saved the cultivator. To quote from Dr. Radha Kamal Mukherjee's book—*Land Problems of India*—

"About 53 per cent of the lands in India is held under the *ryotwari* system.....But even in *ryotwari* tracts there has been a large increase of rent-receivers and tenants. It is estimated that on account of the prevalence of sub-letting, over 30 per cent of the lands are not cultivated by tenants themselves in Madras and Bombay. Similarly in the Punjab the number of rent receivers has considerably increased of late.....the actual tiller of the soil...hardly owns more than a quarter of the lands in India.

This quotation shows that other factors are involved in the question of the lowering of the economic status of the peasants. They appear to be incapable of protecting themselves, unequal to meeting the world competition into which the products of their labour are thrown. Knowing not where these are sold, by what roads they travel to distant places, how countries from beyond the seven seas and thirteen rivers influence the prices of their products for good or evil, the peasantry of India are a helpless lot. And some sort of State guardianship has become necessary. To this tendency of thought we owe the organisation of Agricultural Marketing which was discussed at a Conference of Ministers held at Delhi at the end of November last. For good or evil the cultivator of the soil must consent to regulation of his life and activities by organisations set up by the State.

Helplessness  
of  
Peasants

The same sort of arrangement will be forced on society by the growing tension of feeling between labour and capital in the organisations and institutions set up in India under the impulse and compulsion of modern industrialism. In all the provinces there were strikes and lock-outs, tactics developed by labour and capital to secure or extort justice from each other. In the period under discussion there came to an end a strike at Cawnpore which had lasted for more than six weeks, and in which were involved more than 40,000 men and women. An estimate has it that more than 20 lakhs of working days were lost owing to this strike. According to a conservative computation the workers lost Rs. 18 lakhs in wages, and the total loss to the industry was somewhere near a crore of rupees; in addition to this the electric supply corporations which supplied electricity to the mills, most of them electrically worked, the banks, the post and telegraph offices, the railway and other conveyances like lorries and bullock carts, the distributors who sold the manufactures of the mills—all were put to losses that have not been estimated. The other provinces showed no better record. A comparative statement of industrial disputes between the year 1921 to December 31, 1938, goes to show that the year 1938 registered a record in all the years during these two decades. There were 399 disputes involving 4,01,000 workers; the number of workers were less than in 1937 in which year there were 379 disputes involving 6,48,000 workers; the total number of working days lost was 91,99,000 as against 89,82,000 in 1937; cotton and jute mills accounted for 39 per cent of the strikes, 70·8 per cent of the workers involved and 71·1 per cent of the working days lost; the number of strikes in which the workers came out successful, whole or partial, was 181—51 of the former and 130 of the latter. By provinces Bengal showed the highest number—157; Bombay—111, Madras—52; the number of workers involved maintained the same places—Bengal—1,62,888; Bombay—62,188; Madras—53,851.

These statistics prove one thing that society is put to a loss of wealth every year owing to a maladjustment in the relations between capital and labour; this maladjustment leads to conflict that has its influence on the politics of the country. Society cannot afford this loss; it should not tolerate the presence of a running sore poisoning the body politic. Society had hitherto been organised on the autonomy of its different organs. The break-down of economic well-being, and the injustices to which this was due, has called for the intervention from the whole to set matters right in the life of the units. And the State as the organ of society's power, as the instrument for the use of this power, is increasingly being called upon to intervene. In India also we cannot avoid the encroachments on our autonomies. This is the meaning and significance of the many activities that the Ministries in the provinces are called upon to engage themselves in, to control and regulate the life of the many units that go to make up the life of the whole in India. Before they can fully establish their control, there must happen these strikes and lock-outs through which India will

be adjusting herself to modern conditions of life. In more organised countries these strikes and lock-outs, signs of the pains of teething, have come to accept the direction of the States, not without convulsions. Though it is a common saying that experience is a dear school, history does not show that we do learn from the experiences of others, of our predecessors. The *Kisan* and labour movements are evidences of the fact that labour and capital in India must pass through the same experiences that have moulded other countries into modern life.

Amidst the dark clouds of communal and provincial conflicts and competitions the small Christian community of India have sent across the sky a few shafts of neighbourliness that hold promises of a better time. They are only 60 or 65 lakhs of the more than 35 crores of Indian humanity. But by their association with the religion of the rulers of the country they have influenced developments in this country, educational, social and intellectual; they have acted as the leaven that leaveneth the whole mass. As pioneers of modern education in the land they have helped to create the modern mind in India, to introduce many modern institutions of educational and social uplift in the country. Many of their leaders have helped in initiating the methods of political education and agitation that advanced democratic institutions in Britain; many of the leaders have been keen students of Indian history rescuing from the debris of the past many a remnant of a civilisation that was one of the leaders of the ancient world; the telling of that history by foreign historians has helped us to win back a little of our self-respect, to strive to win it in the field of politics. This development in the life of the other communities, the awakening of a new self-respect and a new self-assertion, have set the Christian community of Indian birth in India to thinking how best they could make their contribution to the evolving life of the country. This feeling was given expression to in the speech of Dr. Harendra Kumar Mukherjee, M.L.A. (Bengal) as President of the All-India Christian Conference held at Madras in December last :

"Instead of saying I am a Christian first and an Indian afterwards let us in the words of Dr. Asirvadhan, our brother in faith, who is..... Professor of Politics and Public Administration in the University of Madras, say: 'I am both an Indian and a Christian because there is no inner contradiction between the two.'"

Dr. Mukherjee's speech was one sustained plea to his people to line themselves up with all the progressive forces in the country, thereby fulfilling the work that their predecessors had begun in India. The inner development in their own Church in India has made this possible. As we find in A. C. Underwood's *Contemporary thought in India* (1930): "The movement towards a United Christian Church in India in which all denominations will be merged and opportunities afforded for development on indigenous lines under Indian leadership, may gradually over-come the obstacles of denominationalism, the foreign character of the Church, and foreign domination." The recognition of this evolution we find recorded in the Report of the World Missionary Conference held at Jerusalem in 1928: "We ardently desire that the younger Churches

Indian  
Christians &  
new India

Synthesis  
of  
cultures

should express the Gospel through their own genius and through forms suitable to their racial heritage." The late Brahmabandhav Upadhyaya who died a martyr to the cause of India's political freedom (1907) strove all his life to achieve "a true synthesis of the truth of the Christian revelation and of Indian spiritual culture." The Tambaran (Madras) session of the World Missionary Conference (1938) worked under this influence where the leaders of the older Churches, leaders of Christian life in the West, came in the spirit of seekers of truth because the life of their own countries was not being lived in the way of the life of the Founder of their religion.

As we bring to a close the review and study of the events of the last six months in India, we turn with hope to another organisation that has been for more than twelve years trying to bring the women of India out of their secluded life into activities that have been remaking the life of their country and of theirs also. The lady-President of the 13th session of the All-India Women's Conference, Rani Laxmibai Rajwade of Gwalior, readily acknowledged that the present awakening among Indian women "is due more to what the Congress has been doing than to our Conference." But she claimed that it was the natural right of "the woman of the house" to be the "first aroused in an earthquake because she has the most precious burdens to rescue." And the developments outside and inside India that we have discussed in previous pages have been overturning many an ancient and valued institution, and women in India could not be indifferent to these threats of disruption, to the shocks of "peaceful earthquakes" initiated by the Congress. These have hastened the "entry of women into the highest positions of public life." The members of the Conference belong, the majority of them, to the upper and middle classes of Indian society. But the growing intensity of the struggle for a new India of the strong and the free has been forcing on the consciousness of even conservative houses that women have duties outside that could not be neglected any more, that they could not close any longer their eyes to the marks of break-down in their social life, close their ears to the cries of the poor and distressed in the land whom the centuries had left on the way-side uncared for. The speeches made and resolutions passed at the Delhi session (1938) of the Conference bear witness to the fact that the women of India were not blind to the significance of these developments. This awareness came vivid out of the words of the president: "We shall strike at poverty and social evil. But we shall do so with a full and sleepless realisation that we do it so that beauty shall come in and the spirit become free."

The challenge has come to every individual man, to every individual woman in India, so to work and so to live that human life may be enriched in the country. There may be failures of the spirit, there may be failure in leadership. But in what spirit are these to be met, to be overcome? We began this study with the recital of a failure of spirit and failure of leadership in Indian politics. And the words used by the

Spirit of a  
new  
leadership

President of the Congress, Sri Subhas Chandra Basu, on that occasion supplies an answer characteristic of the man, characteristic of the type of a new leadership. These words are of such strength, of such insight into the heart of things, that they deserve record :

"I may point out that a leader has to pay the price of leadership. In the event of success, he often gets more praise and credit than he probably deserves, and in the event of failure, he frequently gets all the blame or at least much of it. No leader should, therefore, grudge if on occasions he seems to be judged harshly by his followers or by his countrymen. If a battle is won, the general becomes the hero ; if things go wrong he is punished severely."

We began the study with a note of pessimism. At the end also we find that there is unrest, there is indecision, a sense of helplessness, of uncertainty in the councils of the rulers, in the market-places of the world, in the academies of philosophers to which men have been used to look for light and guidance. Ideals of human conduct are being subjected to new tests, and the practices of mankind are being called upon to adapt themselves to new conditions to meet the needs of new values in life. India cannot any more continue in her hermit life. Modern science has eliminated distance ; the mountains and oceans are no longer barriers but are to-day lines of communication on which have been moving men and women from distant lands and knocking at our doors with news of a new world. Even if we would we could not refuse to hear them ; even if we could we would not refuse to hear them. Our sages and saints had seen "the one in all the changing manifoldness of the universe", the thread of unity that runs through creation ; a scientist of modern India, Acharya Jagadis Chandra Basu, has presented this realisation to the test of our senses. That realisation has come to New India to be renewed and revived in the modern world through struggles in the spirit of a new *tapasya*, a new self-dedication. Hindu and Muslim, Christian and Sikh, Bengalee and Biharee, Andhra and Tamilian, Mahratti and Gujrati may appear to forget today the message of this unity. But the meaning of the present conflicts and competitions in India, we will realise as we go through the tribulations of the present towards the hopes of the future. These hopes will sustain us. They can be best described in the words of Jagadis Chandra—a seer and a scientist of new India :

"And in this country through the milleniums there always have been some who, beyond the immediate and absorbing prize of the hour, sought for the realisation of the highest ideal of life not through passive renunciation, but through active struggle. The weakling who has refused the conflict, having acquired nothing, has nothing to renounce. In India such examples of constant realisation of ideals through work have resulted in the formation of a continuous living tradition. And by her latent power of rejuvenescence she has readjusted herself through infinite transformations. Thus while the soul of Babylon and the Nile Valley has transmigrated, ours still remains vital and with capacity of absorbing what the time has brought, and making it one with itself."

—(Specially contributed by Sri Suresh Chandra Dev)

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**Proceedings of**  
**THE COUNCIL OF STATE**  
**CENTRAL LEGISLATIVE**  
**ASSEMBLY**  
**And**  
**PROVINCIAL LEGISLATIVE**  
**COUNCILS**  
**And**  
**PROVINCIAL LEGISLATIVE**  
**ASSEMBLIES**  
**JULY—DECEMBER 1938**



सत्यमेव जयते

# The Council of State

Budget Session—New Delhi—14th. February to 8th. April 1938

## MECHANISATION OF ARMY

The Budget Session of the Council of State opened at New Delhi on the 14th. February 1938. The question hour was lively. The *Commander-in-Chief* replied to a number of questions on the scheme of army mechanisation. After going over the present scheme, His Excellency added that the question of mechanisation of certain Indian units was at present under consideration by the Government of India.

After question time, the Secretary presented copies of eight bills as were passed by the Assembly, including the Military Manoeuvres Bill and Insurance Bill.

## RAILWAY BUDGET AND DEBATE

Sir *Guthrie Russell*, Chief Commissioner of Railways, next presented the statement of estimated expenditure and revenue for the year 1938-39, in respect of Railways after which the Council adjourned till the 17th.

**17th. & 18th. FEBRUARY:—**The Council held a general discussion on the railway budget to-day. Mr. *Ramdas Pantulu*, the first speaker, subjected the budget to a critical analysis, and regretted that there was no reference to a general trade and economic condition of the country in relation to railways. He urged the provision of adequate facilities to encourage the transport of agricultural produce to distant parts. The policy in regard to the rail-road problem was unsatisfactory as the railways wanted co-ordination with motor transport by coercion, instead of adopting a policy of equitable treatment of other forms of transport.

Sir *A. P. Patro* expressed the opinion that much of the difficulty of the rail-road problem would be eliminated if the railways come to suitable arrangements with Local Governments, since roads were a provincial subject. At the same time the railways should afford greater amenities to the travelling public.

*Lala Ramsaran Das* declared that in regard to recruitment for various services, a definite anti-Indian policy had been adopted in the Indian railways. Perhaps it was due to the reactionary recommendation of the Wedgwood Committee. Though a large number of well-qualified Indians were available for the mechanical and engineering departments from various engineering colleges in India, the railways preferred importing foreigners. There was also a rumour among Indians officiating as foremen and chargemen that they would never be confirmed but soon be replaced by Europeans. He asked if this was true. The treatment of Indians was also bad at the recent Moghulpura workshop explosion, where a covenanted European foreman, instead of being punished, was quietly allowed to go away. He urged the acceleration of goods traffic, which would result in a substantial reduction in new wagon construction. He complained of uneconomic pay to the lower subordinate staff which generated discontent. The amount spent on providing amenities for third class passengers, he declared, was inadequate as compared with upper class travellers. He requested the Government to abolish the surcharge on coal.

## NON-OFFICIAL RESOLUTIONS

**21st. FEBRUARY:—**The Council of State transacted non-official business today.

*Pandit Hriday Nath Kunzru's* resolution urging active steps to facilitate settlement of Indians on land in British Guiana and discourage their repatriation to India was adopted unanimously, the Government accepting the resolution for taking up the matter with the Colonial Office.

An interesting debate ensued on Mr. *Sushil Kumar Roy Choudhury's* resolution that full military training be given to all physically fit Indians between the ages of 21 and 36 and that they be admitted to permanent units in the Army irrespective of caste and creed.

The *Commander-in-Chief* explained the futility of such a scheme and the colossal cost it would involve. He pointed out that the training of all able-bodied Indians would mean the creation of an incredibly vast army, 200 to 300 times the present strength. Of what practical use such enormous army levies would be in modern warfare except providing cannon-fodder? The Government's policy, on the other hand, was to keep the Army as small and at the same time as efficient as possible. The resolution was negatived.

**24th FEBRUARY:**—The Council discussed two non-official resolutions to-day. *Sirdar Buta Singh's* resolution for a committee to work out a scheme with the object of stabilising the price of wheat, cotton, *gur*, sugar, and other agricultural products was rejected after Mr. Yeates had explained that the matter was primarily the concern of provincial Governments.

After two hours' discussion the House defeated Mr. *Kalikka's* resolution that the number of cadets admitted to the military academy be raised from 60 to 120, by 14 to 23 votes. The *Commander-in-Chief* said that recently the Government reviewed the position and came to the conclusion that the increase of the number of intake was not possible just at present. There had been wastage recently amongst the King's commissioned Indian officers by resignations. Lifelong military career had not in practice appealed to many of those who first took up a commission with apparent enthusiasm. He hoped the same would not be found to be the case with the remainder of the Indian officers.

#### RIGHT OF PUTTING SUPPL. QUESTIONS

**2nd. MARCH:**—An authoritative decision on the limitations imposed on the right of putting supplementary questions was announced by *Sir Maneckjee Dadabhoi* and *Pandit Hirdayvath Kunzru*, over whose supplementary questions in September last there was some misunderstanding, necessitating a study of the subject and consultations with the Speaker of the House of Commons. Captain Fitzroy had nothing to say, as *Sir Maneckjee* appealed to him and the House to accept the decision.

The statement of *Sir Maneckjee* occupied half an hour to read. He quoted from the communication he had received from Captain Fitzroy, and also from *Sir Howard Deville*, secretary of the Empire Parliamentary Association, as well as from the rulings of *Sir Frederick Whyte* and *Sir Shanmukham Chetty*, and submitted 'with all humility' that they were exactly what he himself had emphasized so often from the Chair, namely, that the supplementaries are intended only to clear up any ambiguity in the reply given, or to extract any further information on the subject dealt with in the reply. At the same time, *Sir Maneckjee* gave the assurance that he would enforce the principles now enunciated 'justly and with discretion'.

#### MILITARY MANOEUVRES BILL

On the motion of the *Commander-in-Chief*, the Council of State passed the Bill to provide facilities for military manoeuvres and for field firing and artillery practice as was passed by the Assembly. Mr. *Kumar Sankar Ray Chowdhury* moved half a dozen amendments and all of them were rejected.

The House also passed the Bill further to amend the Destructive Insects and Pests Act as was passed by the Assembly. It was moved by *Sir Jagdish Prasad*.

#### BUILDING INDUSTRY WORKERS' SAFETY

*Sir Mohammad Yakub* moved a resolution that the Council having considered draft convention and the recommendations relating to the safety of the building industry recommends to the Governor-General in Council (a) that the provincial Governments be consulted regarding the desirability and practicability of legislation to secure greater safety for workers in the building industry, (b) that their attention be drawn to the recommendations concerning cooperation, accident prevention and vocational education. *Sir Mohammad* described the important features of the draft convention and the attitude of various Governments who were represented at the Geneva Assembly session in 1936 when it was considered. The Indian delegates had pointed out the unsuitability of several proposals to Indian conditions. *Sir Mohammad Yakub* said that it appeared from the perusal of the proceedings that most countries had found safety in the regulation of the building industry. But in India conditions were quite different. The construction of houses in Indian villages could not be construed as a hazardous occupation but in some commercial cities such accidents were inseparable

and no action was possible unless the cooperation of the local Governments and municipalities was secured. There should be an adequate system of inspection to enforce the building laws. The convention itself was of a complicated nature and difficult for enforcement in the case of India. The function was primarily that of the provincial Governments and their discretion could not be fettered by the decision taken by the central Government.

The resolution was passed. The Council then adjourned till March 4.

#### OPPOSITION WALK-OUT

**4th. MARCH :—**About 20 members of the Progressive and Congress parties walked out to-day following *Sir James Grigg's* statement explaining the Government's position on the controversy regarding the exclusion from the voted list of the expenditure on Defence and External Affairs.

After *Sir James Grigg*, who spoke amid repeated interruptions, *Rai Bahadur Ramsaran Das*, leader of the Opposition, *Mr. Ramdas Pantulu*, leader of the Congress party, and *Syed Hossain Imam*, deputy leader of the Progressive party, made statements protesting against 'the curtailment of the rights and privileges of the Assembly with which the Council of State forms the central legislature'. *Sir A. P. Patro* rose to speak when all members of the Progressive and Congress parties walked out.

#### CENTRAL & DEFENCE EXPENDITURE

Explaining the Government's attitude regarding the Legislature's right of vote on Defence expenditure, *Sir James Grigg*, Finance Member made the following statement in the Council of State to-day :—

*Sir James Grigg* continued : "The argument has been advanced that, though the classification of that expenditure is a legal use of a power vested in the Governor-General-in-Council, nevertheless there was no obligation on the Governor-General-in-Council to use that power in the sense in which it has been used, and that the previous practice should have been permitted to continue under which, while the army estimates were not submitted to the vote, the expenditure of the Army Department as it was then known was treated as voted expenditure comparably with the expenditure of other departments of the civil secretariat. This is the sole question at issue, since as previously the Governor-General has thrown the entire defence estimates open to discussion by the legislature.

"As is well known, the Central Executive and Legislature, while they are in form retained unchanged in the transitional period, now function on the basis of the new distribution of powers under the Act of 1935. Briefly the position under the Act is that the powers, both legislative and financial, of the Central Legislature in the transitional period correspond with the powers, after the establishment of Federation, of the Federal Legislature.

"When Federation is established, Defence will be administered by the Governor-General in his discretion. The expenditure which the Governor-General will incur for the discharge of his functions in respect of defence will include the expenditure of the Defence Department and will be charged on the revenue of the Federation under Section 33 in the transitional period. Section 33 is not in force and the position is regulated by Section 67A of the old Act in the modified terms in which it has been re-enacted in the ninth schedule of the New Act. The several changes made in that section are in the direction of securing a similar classification in the transitional period of voted and non-voted expenditure such as will distinguish in the Federation period expenditure submitted to the vote and expenditure charged on the revenues.

"The treatment of defence expenditure as non-voted is a feature common to the old Constitution and to the new. But while in the old Constitution it was possible to treat expenditure on the army department as in a sense distinct from the defence expenditure, that distinction is no longer permissible under the provisions of the new Act. Thus in addition to the general statement given above of the new position of the Central Legislature, Part 10 of the new Act, which is now in operation, draws a statutory distinction between the defence services of the Crown in India and the Civil Services, and the effect of Section 238 in that part of the Act is to bring the establishment of the Defence Department within the definition, now operative of defence

services. As such, expenditure on that department requires now to be treated as non-voted; and will when Federation is established be charged on the revenues.

"It follows that in the classification now made there was no issue of policy open to the Governor-General-in-Council to decide. In their classification in the traditional period of expenditure on the Defence Department as non-voted expenditure, the Government of India have followed the prescriptions of the statute binding alike on themselves and on the Legislature."

Sir James Grigg contended that the Legislative Assembly had lost nothing real by the change the Government of India had been compelled by law to make. The burden of the complaint made in the Lower House was that the House was not prevented from recording a vote on the Defence expenditure. That was wholly inaccurate. In previous years the position was that the Assembly had recorded its views about defence by voting on grants for the defence expenditure which covered the salaries of a comparatively small number of clerks and peons in that department and year by year the Assembly had rejected the whole of the provision and had forced the Governor-General to restore this element in the Defence expenditure. This element of defence expenditure represented four lakhs of rupees out of forty-five crores. The Finance Member thought that to visit the wrath of the Assembly on a few clerks and peons in the Defence Department was highly artificial. There was a more effective way of showing their reprobation by voting on the Executive Council, which was responsible for the defence policy. Therefore it appeared to him that the whole grievance was a manufactured one.

*Lala Ramsarandas*, Leader of the Opposition, stated:—"The Government in disregard of a long standing practice have deprived the Central Legislature of the right it has enjoyed of voting the demand for the civil secretariat of the Defence Department. No doubt this House takes no part in the voting of the budget demand but it cannot remain indifferent to the curtailment of rights and privileges of the other House, with which it forms the Central Legislature.

*Lala Ramsarandas*, proceeding, stated: "The submission of the demand for the Defence Secretariat gave the Assembly a direct opportunity of expressing its opinion about the military policy of the Government of India which was fully availed of year after year. However embarrassed the Government might have been by an adverse vote of the Assembly year after year, this was no justification for changing the procedure followed till last year and imposing a new restriction in a vital matter.

"We can attribute change only to a change in the attitude of the Government of India. In order to enter our strong protest against the temper and outlook, which this indicates, we have decided to take no part in the discussion on the budget.

*Mr. Ramdas Pantulu* said: "The Congress party in this House has decided to follow the course adopted by the Congress party in the Assembly. We feel that no other course is left open to us in this House. The departure made by the Government in the usual procedure by removing from the vote of the Assembly estimates of expenditure on army secretariat has the effect of curtailing the power and privilege of the Central Legislature as a whole on a very vital matter. This House cannot allow such an encroachment by the Government on powers of the Legislature without recording its protest in a fighting manner. We feel that the provisions of the Government of India Act, specially the transitory provisions embodied in paragraph 67A of the ninth schedule to the Act, have not altered the constitutional position, so as to make it obligatory on the Governor-General to withhold from the vote of the Assembly estimates of expenditure on the Army Secretariat. Even Section 238 of the Government of India Act, when read with Section 317 and ninth schedule has not the effect of taking away the discretion vested in the Governor-General. No valid reason for the uncalled for and provocative departure has been given by the Government. Therefore, we have decided not to participate in discussion on the budget this year.

"Now coming to the statement made by the Finance Member I must say that I don't find any reason to alter the word of the statement I have just read out. He not only did not improve his case, but made it worse. On the legal and constitutional ground he is clearly wrong. The Governor-General's discretion to follow the usual procedure is left untouched till the Federation is established. We need not contemplate what is to happen after Federation comes. It may not come for the Congress is pledged to see that it does not come,

INDO-BRITISH TRADE AGREEMENT

**7th. MARCH:**—Completely vexed over the delay in the successful issue of the Indo-British Trade Agreement, and finding that the Government in the meanwhile was disregarding and circumventing the verdict of the Legislature, the Opposition in the Council of State gave a timely warning to the Government. 'We do not want to leave any loopholes for the Government after our bitter experience, was the spirit in which Mr. Govindlal Shival Motilal asked that the present interim agreement should terminate 'here and now', and further that the Central Legislature's opinion as to the new agreement should prevail.

*Rai Bahadur Lala Ram Saran Das, Pandit Hirday Nath Kunzru and Mr. V. Ramdas Pantulu* all argued that no harm would be done to India because the rise in the price of agricultural produce was greater than that of manufactured goods. In any case they all felt that the interim trade agreement which had been entered into by the executive without consulting the legislature should not be allowed to hamper and delay a successful issue of the negotiations for a permanent pact.

*Sir A. P. Patro* was alone among the non-official members in thinking that the agreement should proceed not on lines suggested by the non-official advisers who were mostly mill-owners but as the Government would consider proper taking into consideration also the interests of 'the man behind the plough'.

*Sir Mahomed Yakub* explained the Government's mind that they did not have the same touching faith in the non-official advice as Mr. Govindlal Shival Motilal nor would they agree to the proposition that the legislature's view alone should prevail.

*Pandit Hirday Nath Kunzru and Mr. Ramdas Pantulu* had been at pains to see that the spirit of the fiscal autonomy convention should at least prevail and as to this *Sir Mahomed Yakub* asked the House to rely on the statesmanship of *Sir Mahomed Zafrullah Khan*, permanent Commerce Member.

CHILD MARRIAGE RESTRAINT AMEND. BILL

The only other important business transacted was the passing of the Bill of *Dewan Lalchand Navalrai* for strengthening the Sarda Act (Child Marriage Restraint Act Amendment Bill). He came to the gallery expecting a great debate but was told by *Sir Ramuni Menon*, who sponsored it, that the House was very helpful and the Government did not even find it necessary to speak. After the manner in which *Rai Bahadur Lala Ram Saran Das*, who was believed to be a Sanatanist, spoke in favour of the measure and quoted freely from Sastras and Vedas, there was none to utter a word against the Bill.

DEVELOPMENT OF AIR & SEA FORCES URGED

**10th. MARCH:**—The Council of State discussed non-official resolutions to-day.

*Pandit H. N. Kunzru* moved a resolution recommending to the Governor-General-in-Council to redistribute the defence expenditure between the land, sea and air forces so as to provide for a more adequate defence of the country by sea and air forces. In modern warfare, he said, cavalry and infantry regiments were not of such great use as they used to be once upon a time. The proposed mechanisation scheme of the Indian army was no doubt introduced as part of mechanisation of the entire British army in England. Considering the little use the British cavalry regiments served, *Pandit Kunzru* asked why these regiments should not be sent back to England or if they were to be retained in India why the entire cost of the mechanisation should not be borne by His Majesty's Government.

*Mr. O'Gilvie* claimed that the army maintained in India was very small, considering the area, population and extensive land and sea frontiers. In the North West Frontier the civil districts were constantly threatened with tribal raids and the mover of the resolution had not fully understood the nature of the frontier problems, when he suggested that highly mechanised army was not required for frontier warfare. However, they felt that, whether the army was to face minor or major dangers, it should be abreast of modern developments and needs. *Mr. Ogilvie* pointed out that India alone among the countries in the world had reduced her defence budget by Rs. 23 and a half crores during the last fifteen years.

*Lala Ramsaran Das*, Leader of the Progressive party, supporting the motion, said that thanks to Government's policy on the frontier the warring propensities of the frontier tribes had lessened, and therefore, the Government could afford to relieve the concentration of land forces on the frontier and use the savings in

strengthening the air force. Referring to mechanisation, the speaker said it was not the duty of the Indian Government to mechanise the British section of the Indian army which was not permanent in India.

*Pandit Kunzru*, replying to the debate, contended that the programme of mechanisation was due to a change of army policy in Britain and India was made to follow Britain, whether she liked it or not.

Referring to the frontier danger mentioned by *Mr. Ogilvie*, *Pandit Kunzru* asked, "Why can't he tell us how we are endangered either in the East or in the West? It is this reticence and lack of frankness that is responsible for the country's suspicions of Government's actions". He wanted to know why in India alone the peace-time army was maintained on a war footing.

*Mr. Ogilvie*, replying to *Pandit Kunzru*, said that the Indian army had been reduced to so small a size that it had been imperatively necessary to keep what they had on a war footing ready to go to war at notice.

The resolution was negatived by 24 votes to 14.

#### REDUCTION OF DEFENCE EXPENDITURE

*Mr. Hossain Imam* moved a resolution urging the Government to appoint a committee of the members of the Central Legislature to examine the defence budget with a view to reducing the expenditure generally and in particular to attain the following objectives :

- (a) Reductions in ancillary and engineering department expenses;
- (b) Increase in income from the disposal of stores;
- (c) The possibilities of transferring part of pension charges to the British Government;
- (d) The feasibility of questioning the composition of capitulation charges, and
- (e) The enquiry or otherwise of charging the whole or part of the contribution for the National health insurance and the unemployment assurance for British soldiers.

He pointed out that the Defence budget showed an increase of two crores of rupees during the last two years, in spite of the fact that Burma was separated and England was making a contribution to India. He claimed that the business side of the army was top-heavy and could be replaced by an Indian personnel without loss of efficiency and at the same time resulting in a saving of nearly half the cost. He pointed out the huge waste in the army stores and that a large stock of medicines purchased by the Defence Department was foisted on provincial Governments and local bodies at high cost.

*Mr. O'gilvie* asked the House to consider whether this was the opportune moment for the appointment of such a committee. The situation in the world to-day was such as required not retrenchment in the defence expenditure but an increase. To carry on without any increase was in itself a high tribute to the Defence Department's solicitude for the tax-payer. *Mr. O'gilvie* added that, as it was, any retrenchment on a large scale was unthinkable at the present moment. Over nine crores of economy had been effected in the army expenditure since 1929-30. There was in existence a public accounts committee, which dealt very fully with the whole financial and business side of the defence forces in India and any other committee to do the same work was not necessary.

*Rai Bahadur Ram Saran Das*, referring to the saving of 92 lakhs of rupees in the defence expenditure due to a shortage of British troops in India, said that this saving should be permanent. He suggested greater care in giving army contracts. He emphasised that the present was the suitable time for a committee. For, after all, the recommendation of such a committee were not binding on the Government, but their suggestions would be useful to them.

*Pandit H. N. Kunzru* said a substantial reduction was possible by either of two ways, namely, withdrawal of British troops from India and industrialisation so as to make India, as far as possible, self-sufficient in all kinds of army stores. The Government must seriously consider the necessity of manufacturing arms and ammunition in India.

*Mr. O'gilvie* pointed out that *Pandit Kunzru's* suggestion for industrialisation or sending Indian apprentices might be useful from the point of view of Indianisation, but they were hardly suitable as a measure of economy. He stated that the Inchcape Committee sat at a time when the army was big soon after the war, and reductions were possible. Again the Retrenchment Committee of 1931 was consti-

tuted in the face of a most disastrous slump all over the world. Since then there had been progressive retrenchment, but they had reached a stage where reduction was not possible.

The resolution was rejected without a division.

#### CIVIL APPEALS TO FEDERAL COURT

**21st. MARCH:—**The Council of State met to-day with a heavy agenda of eight non-official resolutions before it.

After questions further discussion on *Haji Mohammad Hussain's* resolution, urging the Government of India to take immediate steps to introduce measures to provide for civil appeals to the Federal Court from the judgments of the High Courts in British India as provided in the Federal Court by sec. 206 (1) of the Government of India Act, 1935, and to establish at the earliest possible date a Supreme Court of Criminal appeal in India, was resumed.

*Mr. P. N. Saprú*, supporting the resolution, appealed to the Government to consider it in a sympathetic spirit as there were neither political nor controversial principles involved. He pointed out that the Federal Court which consisted of eminent judges had hardly any work to do with the result that valuable judicial talent found no scope for expression. Federation was still far off and at present from their point of view the Federal Court was a costly luxury and therefore it was their duty to provide some work if it ought to justify its existence. It had been held that at present the appeals to the Privy Council were very costly and dilatory to Indian litigants and it would be advantageous to all if civil appeals were vested in the Federal Court.

*Mr. Ramdas Pantulu*, Leader of the Congress party, opposed the resolution which had not indicated any scheme by which India would be self-contained in the matter of appeals. The provision for more courts of appeal, he said, was not in the interest of India (A vice—It was in the interests of lawyers) He did not see that a sufficient case had been made for the establishment of a court of criminal appeal for none liked the prolongation of appeals of criminal cases.

*Pandit Hriday Nath Kunzru* also contended that the Government of India Act did not expressly prohibit the establishment of a Supreme Court of Criminal appeals. If once the principle was accepted then it would be easy to strictly limit the criminal appeals to cases in which a substantial principle of law was involved. He strongly criticized the contention that the provision for these appeals would help the bar.

*Haji Syed Mohammad Hussain*, replying to the debate, said that his resolution was to see to what extent had the Government accepted it in principle and he hoped that an early action would be taken to give effect to it. As for the second part of the resolution, he hoped to place a bill before the House. He withdrew the resolution.

#### GOVERNMENT SERVICES & POSTS

*Sir Ramunni Menon* moved a resolution urging the introduction, as early as practicable, in regard to the services and posts in the Government of India and the centrally administered areas the recruitment to which is in the competence of the Government of India, of the scheme of recruitment adumbrated in the Government of India's circular letter published on Jan. 20 last to all the provincial Governments with such modification and amplification as further consideration may necessitate, but without abandoning the two essential conditions laid down in the said scheme in regard to the age and the stage of education at which candidates would be entitled to appear for the proposed preliminary examination.

*Mr. P. N. Saprú* said that there had been a tendency to blame the universities for unemployment which might also be due to the economic phenomenon. If it was due to the latter any amount of reorganisation of education would not solve the problem of unemployment. He was extremely critical of the Government proposal.

#### RAILWAY SURCHARGE ON COAL

*Rai Bahadur Lala Ramsaran Das* moved a resolution to the Governor General in Council that the surcharge levied on the railway freight for coal and hard coke should be abolished forthwith. Reviewing the history of the surcharge on the freight for coal and hard coke the mover pointed out that it was levied at the time when the railway finances were at the lowest ebb in 1932 and the Gov-

ernment had promised to remove the surcharge as soon as the railway finances would come into their own. The mover maintained that the Government had not honoured the pledge they had given. At present the railway finances were in a sound condition and it was time that the Government fulfilled the pledge and removed the surcharge which was a handicap to the development and growth of the industry in India.

*Sir Guthrie Russell*, Chief Commissioner of Railways, replying maintained that the Government had honoured the pledge given and pointed out how the Government had reduced the surcharge, which was 15 per cent. in 1932 to 12 and a half per cent. in 1935, subject to a maximum of one rupee per ton irrespective of distance. He said that the time had not yet come for rates. They had carefully examined the position which showed that the surcharge did not effect the movement of the traffic whatsoever. The speaker quoted figures proving his contention. The House rejected the resolution.

#### PROTEST AGAINST FINANCE BILL

**22nd MARCH :—**After question *Mr. J. C. Nixon*, Secretary, Finance Department moved that the Finance Bill, as recommended by the Governor-General, be taken into consideration. He said that the House was already aware of the circumstances in which the Governor-General thought it proper to restore all the grants which had been rejected in the Lower House. Consequently, in order to carry on the activities of Government they required all those resources which were indicated in the Budget Statement made in both Houses. Those resources included the passing of the Finance Bill which was also rejected in the Assembly. The recommended Finance Bill merely proposed to carry on the status quo. It imposed no fresh taxation and it proposed no reduction in taxation.

*Rai Bahadur Lala Ramsaran Das*, leader of the Progressive party, said for reasons already stated on former occasions his party had decided not to participate in the discussion of the Finance Bill. They would, however, vote against the Bill at every stage.

*Mr. Ramdas Pantulu*, leader of the Congress party, said his party also decided for same reasons not to participate in the discussion. There was another reason also, namely, no useful purpose would be served in consideration of a Bill in a certified form, as no alteration was possible.

Thereafter *Mr. R. H. Parker* (Bombay Chamber) rose to speak and all the members of the Progressive and Congress parties, numbering about 20, walked out of the Chamber.

After *Mr. Parkor*, *Sir Patro* and the Maharaja of Darbhanga had spoken, *Mr. Nixon* replied to the discussion.

When the motion for consideration was put to the House, the House just then challenged a division.

The President said he would not permit a division in the exercise of his own discretion as there was only one member who challenged it.

Immediately there was a stampede and all the members who were peeping through the curtains rushed in.

The opposition members questioned the President's ruling. *Mr. Kunzru* pointed out that they had every right not to participate in the debate and yet vote.

In the general confusion the President declared *Mr. Nixon's* motion carried.

*Rai Bahadur Ramsaran Das* wanted to make a statement, but the President disallowed any statement and proceeded to put clauses and schedule of the Bill to vote.

He put the schedule to the House first and the Opposition shouted "no". The President reiterated his earlier ruling and disallowed a division.

Thereupon there was further confusion and excitement in the House, members of the Opposition insisting on their right to vote. *Pandit Kunzru* said that "for the Chair to say that our action is right or wrong is going too far". *Mr. Hossain Imam* shouted, "What is undignified? What is unparliamentary?" Yet few understood under what rules the President had disallowed the motion.

The President called for order and remarked: "It was an unbecoming and undignified procedure for the House of Elders to pursue."

The President agreed to reconsider his ruling on condition that members withdraw certain remarks alleged to have been made against the Chair. Members refused to withdraw them and insisted on their right.

When there was utter confusion, the Leader of the House *Sir Jagadish Prasad* requested the Chair to adjourn the House for 15 minutes.

The President accordingly took the sense of the House and adjourned it.

The Council reassembled after half-an-hour.

*Lala Ramsaran Das* made a statement on behalf of his party. He said that any action taken by his party was by way of protest against the Governor-General's certification of the Finance Bill and restoration of grants in disregard of the wishes of the Central Legislature. It was in no sense intended as discourteous to the President personally or to the Chair or to the House. As they desired to challenge the Government's motion they wished that a division be taken.

Thereupon the President said that the decision which he took a few minutes ago in disallowing a division was based on misunderstanding. His predecessors on several such occasions had disallowed a division. For example, the late *Sir Alexander Muddiman*, who was the first President of the Council had observed "that the request for a division is frivolous and I disallow it" There have been several subsequent rulings by his successors supporting this point. In view of the statement by the Leader of the Opposition, and particularly as the demand for a division came from a larger number of members, it gives a different complexion. He would now allow a division on the motion that the schedule to the Bill be taken into consideration.

The House divided and the motion was carried by 27 votes to 15. The House again divided on the final motion that the Bill as recommended by the Governor-General be passed and it was carried by the same number of votes.

Only three members participated in the brief debate on the Finance Bill. *Mr. Parker* regretted the action of the Opposition in refusing to participate in the debate. He reiterated his complaint against the retention of surcharges on income tax and customs and urged a revision of the tariff schedules so as to make them more scientific.

*Sir A. P. Patro* said it was a pity that elected representatives in the House should have refused to discuss the Finance Bill and that the Bill as certified by the Governor-General did not receive the attention it deserved. He thought that the Budget was an excellent one because it did not impose fresh taxation.

The *Maharaja of Darbhanga* criticised the "status quo" budget which had maintained the existing taxation which was already too high.

After a brief reply by *Mr. Nixon*, the Finance Secretary, the President put the motion to vote, with the result above mentioned.

#### TWO OFFICIAL BILLS PASSED

**23rd. MARCH :—**The Council of State passed two official bills to-day, namely, the Tea Control Bill and the Workmen's Compensation Act Amendment Bill, as passed by the Assembly.

*Sir Mohammad Yakub*, Commerce Member, sponsored both the bills. Moving the Tea Control Bill, he explained the various provisions of the Bill and said that the time had not yet arrived for completely removing the control over the tea industry. If no control was sought to be exercised now, it would result in flinging the industry again in a parlous state from which it was redeemed 10 years ago.

*Lala Ram Saran Das* thanked the Government for agreeing to non-official demands to include one representative on the board to represent the Punjab, the United Provinces and the Bihar tea interests. He hoped that the quota fixed for India would be such as might be advantageous to India. The Bill was passed. The second bill was also passed without much discussion. The Council then adjourned till the 1st. April.

#### TRADE DISPUTES ACT AMEND BILL

**1st. APRIL :—***Mr. Clow* in moving for consideration of the Trade Disputes Act Amendment Bill, as passed by the Assembly, stressed the importance of taking all reasonable steps to secure harmony in industry. He mentioned that during the last 12 months there had been more strikes in India than in any corresponding period previously except in 1920-21. While he hoped that the number was inflated by causes which would prove to be temporary, he suggested that an improvement in industrial relations generally was most desirable. Tribunals that could be appointed under the Trade Disputes Act could not be established in early stages of the dispute and inevitably tended to start working when the parties had already ranged in opposite camps and when an agreement was difficult to secure. The conciliation officers, for whose

appointment the Bill provided, could by acting as a friend of both the parties and mediating before antagonism had been aroused, should be able to prevent many disputes from resulting in rupture of relations.

Mr. P. N. Saprú criticised several provisions of the Bill. In particular he did not agree that waterways and tramways could be classed as public utility services. Unless the Government had adequate control over them they were essentially run for private profit. What was needed was not declaring any form of strikes illegal but a reform of the capitalist system with a tinge of humility towards labour. In India strikes were brought about by capitalists ignoring the just demands of labour and very often repressive powers were used against labour. Mr. Saprú agreed that the weapon of strikes should be used with restraint, but the Government, if it wished the welfare of the community as a whole, should afford equal protection both to the labour and the capitalist.

Mr. Hossain Imam opined that the success or failure of this measure would depend on the class of conciliation officers appointed by the Government. These officers should be able to command the confidence of labour. He thought that the Bill as it stood was not much of improvement on the original Act.

Mr. Kalikkar supported the Bill. He said that he was interested neither in labour nor capitalism and he had seen several strikes in Nagpur many of which were not in the interest of labour and could have been avoided. After seeing a number of labour legislations during the last few years he concluded that the Government were giving more importance to the grievances of labour than the capitalist. He hoped that this Bill when passed would go a long way in promoting industrial peace in the country.

Sir David Devadoss and Mr. Ramdas Pantulu supported the Bill. Mr. Pantulu said that the Congress was as much solicitous of the interests of labour as any one in the country. (Sir A. P. Patil: Merely in words). As a co-operator, Mr. Pantulu believed in harmony between capital and labour and he had complete confidence in responsible provincial Governments to effectively solve labour problems in the near future. In conclusion, Mr. Pantulu suggested that labour leaders should organise a labour party on the lines of the British Labour party.

After Mr. Clow had replied the House adopted the motion for consideration.

Mr. Parker thereafter moved a lengthy amendment that in clause 10 relating to conciliation officers as proposed in section 18-A the following sub-section be added: 'If any person supplying information or producing document to the conciliation officer requests that the information or the document or any part thereof shall be treated as confidential the conciliation officer shall not disclose such information or the contents of such document or any part thereof except to (a) an authority which had appointed him to be the conciliation officer, or (b) to the parties concerned in dispute for the purpose of mediating therein or for promoting a settlement thereof.

'If the conciliation officer contravenes the provisions of the above sub-section he shall be punishable with fine which may extend to Rs. 100.'

'No criminal court shall take cognizance of an offence under this section except with the previous sanction of the authority appointing the conciliation officer and no civil court shall, without a like sanction, entertain any suit against the conciliation officer with respect to the disclosure of any information or the contents of any document or a part thereof of the nature referred to above'.

The amendment was adopted. The Bill as amended thereafter was passed.

The House also passed another Bill moved by Mr. Williams to amend the Hindu Women's right to Property Act of 1937 as passed by the Legislative Assembly.

The Council then adjourned till the 7th. April.

#### OFFICIAL BILLS PASSED

**7th. APRIL:—**The Council of State passed to day three official Bills, namely, the Bill to provide for temporary continuance of the existing protection conferred on the sugar industry in British India, the Bill to amend the law relating to salt as at present in force in Sind, and the Bill to amend the Indian Coffee Cess Act of 1935, as passed by the Assembly.

#### CHILD MARRIAGE RESTRAINT BILL

**8th. APRIL:—**The Council of State adjourned *sine die* today after having passed the Sarda Act Amendment Bill and two official Bills—the Bill to continue the protective duty imposed on broken rice for another year and the Bill to amend the Delhi Joint Water Board Act of 1926.

Mr. *Ramdas Pantulu* moved that the Bill to amend the Sarda Act, as passed by the Assembly, be taken into consideration and passed. He explained in detail the improvements sought to be introduced in the Act with a view to making it more effective and said that this measure was of national importance. So long as the evil of child marriage existed, India could not achieve full-fledged nationalism.

Eight other members who participated in the discussion spoke in favour of the measure. *Haji Syed Mohamed Husain*, claiming to speak on behalf of Muslims, said that while the Muslim members were not opposing the passage of the Bill, they would not participate in the discussion. And that was consistent with their attitude towards the original Sarda Act.

Mr. *Hossain Imam* said that social reforms should not be enforced by the rule of the rod. Sir *Jagdish Prasad* on behalf of Government supported the Bill.

After Mr. *Pantulu* had replied to the debate, the Bill was passed. The *President* thereafter adjourned the Council *Sine die*.

## September Session—Simla—6th. to 22nd. September 1938

### LEGISLATIVE CONTROL OF DEFENCE POLICY

The Council of State commenced its September Session at Simla on the 6th. September, 1938. After interpellations Mr. *P. N. Sapru* moved a resolution recommending to the Governor-General to associate more closely the legislatures with the formulation and direction of the defence policy by the appointment of a standing committee of the legislature to advise on the defence policy or by such other practicable measures consistent with the present constitutional position as may be recommended by the committee preponderatingly non-official in character, appointed for this purpose. Mr. *Sapru* said that the House should have been justified in asking for control of the defence, military strategy and military discipline. But he knew that the British public would not concede all that. He therefore only asked for increased influence in army matters. He proposed that the committee could advise the Governor-General on the defence expenditure, recruitment of Indians and Indianization. He added, 'If you want to have more wholehearted co-operation between India and England, then you must change the psychology of the Indian people in regard to the army'.

Mr. *V. V. Katikkar* expressed the view that the resolution was a very modest one and hence the Government should have no objection to the resolution.

Mr. *A. dec. Williams*, on behalf of the Government, expressed his appreciation of the extremely moderate character of the observations made by the mover of the resolution and those who had supported it. It was therefore with great regret the Government could not see their way to accept the resolution. Firstly, the Government could not accept the position that the executive should consult the proposed committee on all matters concerning the defence policy. Secondly, the executive of the Government which was responsible for the defence could not bind itself in advance to accept outside advice. Moreover, the position under federation would be very different. Defence would not be the concern of the ministry. If the Governor-General in his discretion desired to ascertain popular opinion surely that authority would be his own Ministers who would be the first to resent his soliciting the opinion of a body which comprised of members from the opposition.

Mr. *Sapru*, in the course of his reply to the debate, said he believed that the Government's real objection to the resolution was that it would strengthen the hands of the Indian Ministers in Federation. The resolution was put to vote and negatived.

The house also rejected another resolution by Mr. *Kumar Shankar Ray Choudhury* suggesting that rules for recruitment to public services should be so altered as to give preference to those who had rendered voluntary service for a specified period.

Mr. *G. S. Motilal* introduced a Bill declaring illegal polygamous marriages among Hindus. The House then adjourned till the 8th.

## ANTI-RECRUITMENT BILL

**8th. SEPTEMBER:**—The visitors' gallery was crowded today when Mr. A. de C. Williams, additional defence secretary, moved for consideration of the Anti-Recruitment Bill as passed by the Assembly. He said that during the past 18 months the attention of the Government had been drawn to a considerable number of speeches in the Punjab dissuading persons from joining the defence forces or in the alternative inciting would-be recruits to commit acts of mutiny and insubordination after joining. It was revealed that 115 different persons made anti-recruiting speeches at 71 public meetings during the period of nine months. Since then during a further period of eight months 130 similar cases were reported. In other provinces also similar acts were reported though in a smaller number. The Government considered the position grave as it could not tolerate destruction of discipline in the army. He assured the House that it was not the intention of the Government to kill pacifist propaganda nor apply the provisions of the Bill in the provinces where the local Governments did not wish to enforce it.

Mr. Ramdas Pantulu, leader of the Congress party, laid his opposition to the Bill only on its merits. If the army were used for internal security and protection of India's frontiers no patriotic Indian would dissuade Indians from joining it. His suspicion was that the Bill was necessary because the political and defence interests of England were in danger.

Sir Phiroze Sethna said that in order to strike terror the Government might perhaps prosecute some men for dissuading people from joining the army but before long the Government would have to stay their hand. If they did not then there would be such a stir and agitation that the Government would repeal this legislation. He suspected that the speeches dissuading the people from joining the army which the Army Secretary mentioned were made by irresponsible people. After questioning the propriety of bringing this legislation at present he suggested that for anti-recruitment propaganda the Government only would be blamed. For during the last 24 years—since the commencement of the Great War—much was promised to India but nothing was given. 'Can you blame the Indian people if in the interests of their people they ask their people not to go to war in which India is not interested?'

Mr. P. N. Sapru, opposing the Bill, accused the British Government of doing little for encouraging in India a proper mentality towards defence. The right solution, he said, for stopping the irresponsible talk was to make the people feel the responsibility for defence by giving them Dominion Status. Mr. Sapru also criticised the Government for showing discrimination in recruiting Indians in the officer grade of the army and in the recruitment as between one province and another. He asked how Self-Government could be safe in the future when the country was dominated by one province.

Nawabzada Kurshed Ali Khan, propaganda secretary of the Unionist party in the Punjab, informed the House that in the Punjab anti-recruitment propaganda was being carried on for more than a year now, particularly in those districts of the Punjab which supplied most recruits. People from outside the Punjab had been joining hands with 'the mischievous set' in the Punjab in misleading the people. As regards the provisions in the Bill the Nawabzada said the Punjab has unitedly supported it. At the recent Zamindars' conference which was attended by the Premier and over a lakh of Punjabis the Bill was welcomed.

'I am one of those who advise every young man to undergo military training and am in favour of the formation of a national militia. But I am for training of the right type and for national purpose,' declared Lala Ram Saran Das, leader of the opposition, opposing the Bill. He said it was amazing that when the provinces enjoyed autonomy the central Government was acting in a reactionary manner by bringing forward such legislations as was under consideration. His view was that it was all due to the peculiar politics in the other house on account of the Muslim League being at loggerhead with the Congress. The enactment of the Bill only revealed the incompetency of the Central Government and the fading popularity of the Unionist party.

Replying to the debate Mr. Williams told Lala Ramsaran Das that from the enactment of this Bill no deduction could be derived as to the popularity or otherwise of the Unionist party. As regards the question put by Sir Phiroze Sethna why Great Britain had not passed such a Bill in spite of anti-recruitment speeches in England, Mr. Williams said the explanation was given by another speaker who had said that the commonsense of the British nation was such that they paid very little

attention to such speeches. They had another explanation, namely, the sense of honour of the British people.

The motion for consideration was passed by 26 votes to 8.

The *President* taking the sense of the House decided to continue with the remaining stages of the Bill. He disallowed two non-official amendments proposed to be made to the Bill on the ground that previous permission of the Governor-General had not been obtained for the amendments. The second reading was therefore quickly disposed of.

On the third reading only Mr. *Pontulu* spoke briefly opposing the entire Bill. The Bill was then passed in the form in which it emerged from the Lower House. The House then adjourned.

#### STATEMENT ON BURMA RIOTS

**9th SEPTEMBER :—**An important statement on the position of rioting in Burma and the steps which the Government of India were contemplating to take to safeguard Indian interests was made by Sir *Jagadish Prasad* replying to Sir *Phiroze Sethna's* short notice question.

Sir *Jagadish Prasad* said : As the hon. members are probably aware already the rioting in Burma falls chronologically in two parts, namely from July 26 till Aug. 2 approximately and the recent revival. As regards the first stage the hon. members must already be familiar with the course of events and I need not go into that. The events of the second stage to the extent of our information may conveniently be grouped as (a) events in Rangoon and (b) events in districts.

(a) *In Rangoon* : Fresh disturbances broke out on the afternoon of Sept. 2 following the assault by Burmans on three Indians in a suburb of Rangoon. There was rioting in the centre of the town by Indians who stoned buses and assaulted Burmans. Apart from a few isolated assaults the night was quiet. Sept. 3 passed without any disturbance. But on the afternoon of September 4 trouble broke out in Rangoon and there were a number of cases of assault both by Burmans and Indians but little looting was reported. On Sept. 6 it was stated that conditions had considerably improved. The night of Sept. 5 was quiet but on the morning of the 6th one Burman hermit was assaulted by Indians and two Indians were attacked by Pongyis.

The reports received on the 7th indicate that conditions were quiet on the night of the 6th and the morning of the 7th. Since rioting restarted the police opened fire on one occasion, captured a number of *dahs* and other weapons.

(b) *In the districts* : On Aug. 20 sporadic cases of incendiarism, looting and assault were reported from Mandalay and Indians closed their shops for three days. The local police force was reinforced on the morning of Aug. 20. On Aug. 31 the commissioner convened a conference as a result of which all shops were reopened on Sept. 1.

According to the latest information from the Government of Burma the disturbance in Mandalay is now under control and conditions have returned to normal except for two isolated assaults on Indians reported on Sept. 4. The other districts where tension still exists are Henzada and Shwabo but in these too the situation is reported to be much easier. The accurate figures of casualties among Burmans and Non-Burmans for the whole country during the earlier part of the rioting are not available owing to the wide area affected. The Government of India requested the Government of Burma to furnish particulars of these as soon as possible. The total number of casualties from Sept. 2 until the morning of 6th was 19 killed and 103 wounded. As regards the refugees the Government of Burma informed us on Aug. 19 that the total estimated by the Indian community was 4,000 from Rangoon and suburbs and 2,000 from districts. It was stated at the time that 300 had been sent back to their homes in India, 600 more were to be sent back during the following week. The exact figures and numbers that have so far returned to India are not available. It has been suggested to the Government of India that owing to the revival of rioting the situation as regards refugees must have considerably worsened. The Government of Burma has been asked by telegraph to let us know the present position. The question of what assistance the Government of India can render in dealing with this problem is under active consideration. I would now state briefly the action which the Government of India have already taken or contemplate. On the immediate need for restoration of peace, strong representations have been made that firm and effective action should be taken to this end ; (b) the Government of Burma proposed originally to appoint a tribunal to enquire into the

origin of the affray. The Government of India are pressing that the scope of the enquiry should be widened to cover the whole course of the riots and the question of adequacy or otherwise of the steps taken to cope with them. They also recommended that the inquiry should be entrusted to a strong and impartial tribunal so as to inspire confidence. (c) The Government have now taken up the question of payment of compensation to Indians for the loss of life and property caused by the riots and the establishment of an independent agency for the purpose of assessing the claims. (d) In view of the revival of rioting they are taking steps to send immediately to Burma their agent to keep them in touch with developments. The Government of India share with the hon. members and the people of the country the sense of horror these riots have aroused and the sympathy which every one must feel with sufferers. They are doing and will continue to do their best to safeguard the legitimate interests of their nationals abroad.

#### INCREASE OF PAY IN BRITISH ARMY

The Council today succumbed to the sedative effect of the businesslike and unexciting debates on all three non-official resolutions which were eventually withdrawn.

The first of the three resolutions, which was moved by Mr. P. N. Saprú, recommended that the scheme for increasing the pay and other conditions of service in the British army in India should not be given effect to. Mr. Saprú said that at a time when social services in the provinces were being started and there was desire by provinces to relieve from the central revenues India could not bear any increase in the military expenditure. He apprehended that the increase in emoluments would not remain restricted to the British army alone but would eventually be extended to the Indian section of the army also. He foresaw much more increase in the military expenditure than had been announced. It was the Government of India's duty in the circumstances not to agree to payments being made by them.

Mr. Williams, additional Defence Secretary, explained the whole case and said the Government of India had already sent an expert deputation to place their views before his Majesty's Government. The Government of India hoped thereby to obtain 'a new deal' as a set-off against the cost to India of improved conditions of services in the British army which had been estimated to be about Rs. 1 and a half crores yearly. He advised the mover to withdraw the resolution as any discussion on the subject at this stage was premature. The resolution was withdrawn.

#### REPRESENTATION ON WEST INDIES COMMISSION URGED

Sir Phiroze Sethna next moved a resolution recommending to the Governor-General in Council to ask the Secretary of State for Colonies and the British Government,

(a) to include a nominee of the Government of India in the personnel of the Royal Commission on West Indies which the Secretary of State for Colonies had recently announced and

(b) to consult the Government of India in framing the terms of reference of that commission for the reason that large Indian interests are involved.

He depicted a very poor picture of Indian residents of West Indies and said though the estimates showed that people were thriving on Indian labour yet little attempt was being made to improve their economic, social and educational condition.

Sir Jagdish Prasad, member in charge of Indians Overseas portfolio, declared that Government of India had fully realised their responsibility in regard to the welfare of their nationals abroad. The Government also felt that it was extremely important that Indians' case should be properly put before the Commission by a representative of the Government of India. The Government was in active correspondence with the authorities in England in regard to this matter and hoped a decision would soon be reached. He assured the mover that the terms of reference of the Commission which were announced in June were fairly wide.

In withdrawing the resolution Sir Phiroze Sethna expressed the hope that if an Indian were to be appointed on the Commission only such man should be sent who would command the confidence of the people of India.

Sir Jagdish Prasad gave the assurance and the resolution thereupon was withdrawn.

The third resolution moved by Kumar Shankar Ray Chaudhury recommending that 'steps should be taken for construction of a railway line between Issurdi railway station on the E. B. Railway and Sadhganj or some place near it on the Brahm-

putra via Pabna city' was similarly withdrawn when Sir Guthrie Russell, Chief Commissioner of Railways, explained that the proposed project would not give a reasonable return on the capital spent.

#### HINDU WOMEN'S RIGHT TO PROPERTY

Mr. G. S. Motilal introduced a Bill amending the Hindu Women's Right to Property Act of 1937.

The Bill proposes that the property which a Hindu woman gets with the present law should be her present absolute property like that of the male heir instead of a limited interest which the law gives her now. The house agreed to its introduction.

Haji Syed Muhammad Hussain (United Provinces) introduced a Bill amending certain provisions in the Indian Penal Code. Two Bills, namely, Mr. Susil Kumar Roy Choudhury's Bill for restraining polygamy in British India and Mr. G. S. Motilal's Bill declaring illegal polygamous marriages were circulated for eliciting public opinion thereon. The House adjourned till Sept. 13.

#### RECRUITMENT IN DEFENCE FORCE

**13th. SEPTEMBER:**—Sir David Devadoss, member from Madras, moved the following resolution :

"This Council recommends to the Governor-General to take early steps to enlist suitable men from the presidency of Madras for (1) infantry, (2) cavalry and (3) artillery in the Indian army and also (4) the Indian air forces.

Sir David Devadoss said that stout bodies and strong muscles did not count in the modern warfare. Unflinching courage, quickness in action, obedience to orders and intelligence were mostly in need now, and he challenged anyone who could say that a Madras Sepoy lacked any of those requirements. The Madras Sepoy won the battle of Plassey, captured Burma and helped the British in quelling the Mutiny. Why should they now be dubbed as non-martial and excluded from the army? The consequence of classifying people as martial and non-martial and recruiting them on the basis of that policy was that martial spirit in some areas had been killed. If this process continued India would easily fall a prey to any invader.

Mr. V. Ramdas Pantulu moved an amendment to the effect that early steps be taken to enlist suitable men from Madras Presidency and 'other provinces and areas inadequately represented in the defence force'.

The Commander-in-Chief opposed the amendment on the ground that three days' clear notice had not been given by the mover.

The President, hon. Sir Maneckji Byramji Dadabhai ruled the objection out of order remarking 'when there had been special reasons' he always allowed such amendments.

Sir A. P. Patro moved another amendment recommending the recruitment of 'suitable men from all presidencies for the defence force' and omitting clauses one to four of the resolution.

The Commander-in-Chief declared that recruitment to the army at present was not being made on a provincial basis, but on a class basis. The military authorities found by experience that certain classes should be recruited without regard to any province.

His Excellency endorsed the remarks made by earlier speakers in praise of Madras Sepoys as soldiers and added that the Madras Sepoys were very good soldiers particularly when they are fighting in suitable climate and conditions. The sole justification for the present policy was that it guaranteed the best possible material for each branch of the army, and therefore, it gave the possible return for the tax-payers' money. It would not be possible at this juncture to substitute a good regiment by another in order to satisfy provincial feeling. He had every sympathy with the desire of the Madras Sepoys to be more strongly represented in the army than at present. He must oppose both the resolution and the amendments. There was no political consideration behind the Government policy. It was entirely based on their determination to secure the best material available upto the limit of the Government's financial resources.

Mr. P. N. Saprú argued if the objective of the British in India was dominion status or federation then it was not right to confine recruitment only to one or two provinces. It was wrong on the part of the Government to recruit Gurkhas as

Nepal was not a part of India. If that policy was extended then the Government should recruit men from Afghanistan and China.

*Sir Muhammad Yakub* opposing the proposition said that a division of society into martial and non-martial classes was made many thousands of years back.

*Mr. V. V. Kalikar* developed the point that in classifying Indians as martial and non-martial, the Government had a political motive.

*Syed Mohammad Hussain* whole-heartedly supporting the present policy of the Government of recruiting on a class basis opined that this policy should not stand in the way of their accepting the resolution under discussion, because the resolution merely wanted recruitment from all provinces and not from all classes.

*Sardar Bahadur Buta Singh* expressed sympathy with the motive of the resolution but expressed the view that the army must contain men whose motto had been tested. He, therefore, opposed the resolution.

*Mr. G. S. Motilal* deplored the absence of the people of Bengal, Bihar and Assam in the Army.

*Rai Bahadur Lala Ram Saran Das* said that the classification of Indians into martial and non-martial was a myth.

*Sir David Devadoss*, replying to the debate, explained that he did not wish any of the present units being disbanded, but he wanted reorientation in the recruitment policy so as to enable all Indians to enter the army.

The *Commander-in-Chief*, winding up the debate, reiterated the Government policy of recruitment and emphasised that there was no political motive in that policy.

*Mr. Pantulu's* amendment demanding recruitment of men from those areas that were at present not adequately represented in the army, was passed, but the amended resolution was pressed to a division and defeated by 21 votes to 14. The Muslim League party voted for the resolution.

Two non-official bills were introduced, namely, *Mr. G. S. Motilal's* bill to provide for submission a certain statement of companies incorporated in or carrying on business in India and *Syed Muhammad Hussain's* bill to amend certain provisions of the Criminal Procedure Code. The latter bill *inter alia* proposes to stop a trial with the aid of assessors on the ground that the majority of assessors take no interest in the trial and the court usually attaches no importance to their opinion. The House adjourned till the 15th.

#### BHITA RAILWAY DISASTER

**15th. SEPTEMBER :—***Mr. P. N. Saprú* moved a lengthy resolution to-day regarding the Bhita disaster deploring the loss of life in the disaster, offering sympathy with the relatives of the dead and injured, recording grave concern at the findings of *Sir John Thom* and recommending to the Governor-General in Council to make full investigation into individual responsibility of officers and take suitable action against them and further the design, purchase of XB engines should be subjected to a thorough, searching and independent inquiry and action be taken on all measures adopted for avoiding similar accidents in futuro. *Mr. Saprú* recognised that no amount of precautions would eliminate accidents altogether but in this case the accident was avoidable. He emphasised that humanity and justice required that compensation should be made on a generous scale to the victims and their relations. Concluding *Mr. Saprú* assured the Government that the resolution was not moved with any political motive.

*Mr. Ramdas Pantulu* then moved an amendment in the shape of a substitute resolution, which was almost similar to the one accepted by the Government in the Assembly. *Mr. Pantulu* hoped that *Sir Guthrie Russell* would experience no difficulty in accepting his resolution which was accepted in the Assembly by *Mr. Clow*. *Mr. Pantulu* briefly elaborated the various clauses of the resolution and opined that experts in India could have concluded the inquiry regarding XB engines quite satisfactorily. As regards compensation to victims and their relations, he said what was necessary was a just and generous compensation as they must not forget that the money belonged to poor taxpayer.

*Rai Bahadur Lala Ramsaran Das* expressed the view that increased Indian representation on the Pacific Locomotive Inquiry would have given more satisfaction to the general travelling public.

*Sir Guthrie Russell*, chief commissioner of railways, explained that his lips were sealed on many matters arising out of *Sir John Thom's* report mentioned in

Mr. Sapru's resolution as they were at present *subjudice*. He could therefore accept only some portions of Mr. Sapru's resolution. However, he had no objection in accepting Mr. Pantulu's resolution. He said that all that the Government could do, apart from their action to prevent recurrence of railway disaster in future, was to compensate the relatives of the dead and the injured. He explained how five Governments, namely, Bengal, Bihar, Orissa, U. P. and the Punjab had set up advisory committees for assessing compensation and how sympathetically the Government considered their recommendations. As regards the allegation of negligence on the part of the administration Sir Guthrie said : "The whole lot of officers is involved and we cannot pass judgment till all the officers responsible had a chance of stating their cases." He assured the members of the House that the composition of the Pacific Locomotive Committee could not have been better. The Government could not have selected as members of this committee from among officers of railways who were held responsible for this disaster.

Mr. Sapru accepted the Congress amendment but urged that the enquiry into the conduct of individuals connected with the Bihar disaster should be impartial and justice should be done to everyone irrespective of his status and office.

Sir Guthrie Russell assured the House that the expert committee's report on the Pacific types of engines would be laid before the House. If possible, the House would be given an opportunity to discuss it. He, however, could not bind the Government to any undertaking that no action on the report would be taken unless the Council had expressed its views on it. The Congress resolution was thereupon passed.

#### TWO BILLS INTRODUCED

The Council allowed Mr. G. S. Motilal and Mr. Susil Kumar Roy Chaudhury to introduce their Bills, namely the Bill to provide for Charitable and other Dispositions of Property and the Bill to amend the Code of Civil Procedure for certain purposes (sec. 104) respectively. The House then adjourned till Sept. 20.

#### EMIGRATION BILL PASSED

**20th. SEPTEMBER :—**The Council passed the Emigration Bill in the form as passed by the Assembly. Moving the motion for its consideration, Sir Jagdish Prasad said that the Emigration Act of 1922 enabled the Government to control assisted emigration of unskilled labour, but it gave Government no power to control emigration of unassisted, unskilled labour. Experience had shown that lack of power tended to defeat the object with which the Emigration Act of 1922 was passed. The lack of power to regulate the total flow of emigration of unskilled labour was likely to operate to the detriment of Indian communities overseas. Sir Jagdish Prasad concluded that since almost all labourers emigrating to countries overseas belonged to Madras, the Government of India consulted and obtained the concurrence of the Madras Government before bringing forward this legislation.

After Mr. V. V. Kalikar, Syed Padshah Sahib Bahadur and Syed Hossain Imam had lent support to the bill, Sir Jagdish Prasad assured the house that Government had no intention of using the provisions of the bill arbitrarily or in the interests of any particular class. He reiterated the Government policy of 'constantly endeavouring to watch the welfare and prosperity of Indians abroad.

The motion for consideration was passed unanimously. There being no amendments the second reading was rapidly gone through and the third reading was given without speech. The House then adjourned till the 22nd.

**22nd. SEPTEMBER :—**The Council of State adjourned *sine die* today after a session lasting for 42 minutes. It passed five Bills as passed by the Legislative Assembly, namely, the Bill relating to the prevention of cruelty to animals and the regulation of admission of children to certain industrial employments, the Bill to declare that certain defences shall not be raised in suit for damages in British India in respect of injuries sustained by workmen, the Indian Aircraft Amendment Act and the Indian Tea Cess Amendment Act.

The Council was then adjourned *sine die*.

# The Indian Legislative Assembly

Autumn Session—Simla—8th. August to 20th. September 1938

## SUPERINTENDENT OF INSURANCE

The autumn session of the Indian Legislative Assembly commenced at Simla on the 8th. August 1938. After interpellations, the *President* admitted Mr. A. Chettiar's adjournment motion on the appointment of a non-Indian as superintendent of insurance.

Mr. *Avinashilingam Chettiar*, moving, said that an important point to be considered was whether there were available suitable Indians qualified according to the provisions of the Act. He referred to the debate on the Act and said that Sir N. N. Sircar, in opposing the amendment of the European group demanding that the superintendent should be a fully qualified actuary, pointed out that the term 'fully qualified' had been defined as meaning an actuary, with 15 years' experience and if that amendment was accepted it would shut out all Indians. Therefore it was admittedly unnecessary that a candidate for the post should have 15 years' experience. It might be necessary in England where actuaries were as a rule not men with the highest academic qualifications whereas in India the highest academic qualifications were possessed by actuaries. Government admitted that last year and Sir Muhammad Zafrullah admitted it to-day that there were five qualified actuaries. Why then did they consider the claims of only one of them and not of the rest?

Sir Muhammad Zafrullah, Commerce Member, referred to the definition in the Act and the debate on it during the last Simla session. He contested the claim that if there were available qualified actuaries as defined in the Act then the question of experience did not arise. For the success of the Act, as the Congress speakers declared in the course of the debate on the Bill, depended on the qualities of the first superintendent. It was not enough that the requirements regarding minimum qualifications were satisfied. Sir Muhammad referred to the experience of the six Indians available and said that five of them, who acquired their qualifications just before the Act, had had no previous experience and were very young in age. As for the sixth, Government found that, even assuming that he had the kind of experience necessary for the post, his salary and position were such that Government would have had to pay him an exceedingly high salary to get him. Sir Muhammad proceeded to explain the qualification of Mr. Thomas and said that his experience was longer than that of the Indian and he had been engaged in exactly the kind of work he would have to do in India. Out of the two men, the man better qualified for the work was selected and incidentally the man who was available on a lower salary.

Mr. *Bhulabhai Desai*, leader of the Congress party, said that the issue was not one as between one Englishman and one Indian. It was the claim of a national to the services of his country and he was glad to see that they were now forgetting the belief imposed on Indians that a foreigner, particularly a Britisher, was better than an equally qualified Indian. In this particular instance, when the Insurance Bill was being discussed, Mr. Aikman of the European group moved an amendment to the effect that 'a fully qualified actuary' be appointed to the post.

Mr. *Sri Prakasa* (Congress party) moved another amendment demanding that 'a qualified actuary' should be appointed. Sir N. N. Sircar accepting Mr. Sri Prakasa's amendment admitted that if Mr. Aikman's amendment was accepted then all the Indian actuaries would be excluded from the appointment.

Sir A. H. Ghuznavi, member of the newly formed Muslim League party, explained that he was at one with the Congress that wherever a qualified Indian was available it was the duty of Government to appoint an Indian. But the question now was whether or not Government had deliberately appointed a non-Indian actuary when they found a qualified Indian available. He declared that the only available Indian was earning much more than Government could give him.

Mr. *M. S. Aney*, leader of the Congress Nationalist party, said that the Government of India was not acting in the spirit of the Act in making the appointment. A foreigner, he said, would not be able to interpret the Act in a national spirit

wherein the Act was passed. He was surprised that even after one hundred year's rule the Government had not understood the sentiments of Indians.

The adjournment motion was defeated by 56 votes against 53. Sir Yamin Khan who appeared to be undecided for a considerable time finally voted in the 'noos' lobby. His vote made a difference in the result.

#### ADDITIONAL DEFENCE EXPENDITURE

**9th. AUGUST :—**Grave warnings were uttered by leaders of all parties to-day over the failure of the Government of India to resist the imposition of an additional expenditure in respect of the British Army in India under Mr. Hore-Belisha's scheme. The adjournment motion, which was the subject of the debate during which these warnings were conveyed to the British Government, was carried by a huge majority of 71 votes against 33 votes.

The European group, under the leadership of Mr. Aikman, declared in course of the speech that they would not support the motion because it only dealt with one part of the efforts for the new deal in regard to the military expenditure. But after Mr. Satyamurti's threat to the European group that India of the future would not forget or forgive the attitude of the European group on the present occasion an emergent decision was reached, whereby Mr. Aikman and his friends remained neutral.

The facts that emerged from the debate were that one-third of the British Army is in India and the increase in emoluments and improvement in the condition of the service of soldiers would amount immediately to Rs. 2 crores. While the Defence Secretary claimed that negotiations had not concluded, he had to tell Mr. Satyamurti that the new rates of pay had come into force with effect from Aug. 1 thereby making no further negotiations possible.

The debate was raised to a high pitch by Mr. Bhulabhai Desai, when he intimated the opposition of the Congress party and of India not only to the increase in military expenditure, but also to the existence of the British element in the Army, which must be removed. There was a common ground among all parties that both the Commander-in-Chief and the Finance Member had fought against any additional burden on India's military expenditure.

Mr. Satyamurti pointed out why three Indian members did not resign over this issue which was of national importance. Addressing the three members he asked, "Have you no self-respect when such a fragrant injustice is being perpetrated in India not for the first time? The significance of the query was felt as the three members sat rather seriously minded. Mr. Ogilvie, Defence Secretary, spoke justifying Mr. Satyamurti's remark that the Government of India had been badly beaten by the British War Office.

#### COASTAL TRAFFIC CONTROL BILL

Earlier in the day two non-official bills were referred to select committees. Sir Abdul Halim Ghaznavi described the Government of India as Satanic for its attitude in respect of his bill for the reservation of coastal traffic, and Sardar Sant Singh made out a strong case for the amendment of Sec. 167 of criminal procedure code so as to give the accused persons an opportunity to be heard before the magistrates passed orders of remand.

#### AFFAIRS OF BROADCASTING DEPT.

**11th. AUGUST :—**Non-official resolutions were on the agenda to-day. The first was Sardar Mangal Singh's recommending the appointment of a committee with a non-official majority to enquire into the working of the Broadcasting department. The resolution was moved on the last non-official day of the Delhi session.

The supporters of the resolution made it clear that the resolution was not necessarily meant as a censure, but urged an enquiry which would serve to reassure public opinion that the new department, which admittedly was not perfect, was proceeding along right lines of development.

Members, opposing the resolution, stressed the futility of a committee of the type proposed to solve any problem connected with broadcasting in India. They thought that parts of mover's speech during the last session were actuated by communal considerations.

Mr. Clow, Communications Member, replied to the points so far raised. He said that if they thought that a committee would be able to establish the radio manufacturing industry in the country he would have favoured its appointment. But the

manufacture could not be established in the country for the reason that there was no adequate market and a market could not be created by a duty however high. Mr. Clow vigorously refuted charges of favouritism and nepotism in appointments to the department and declared that there was no truth in the statement that one family monopolised a large number of posts. Nor was there any justification for the impression that the department resorted to 'hiring and firing'. So far from the dismissals being two per diem as had been suggested there had only been two dismissals during the last three years.

He proceeded to refer to the difficulty of satisfying the multiplicity of tastes in India. He invited the members to set themselves to the exercise of preparing a single day's programme for broadcasting and they would then realise the difficulty. He claimed that the daily programme offered was a remarkably varied one and the listener who was not pleased by it was hard to please. A comparison with the B. B. C., he suggested, was unfair because the country served by it was 1-17th the size of India and spent fifteen times of what India did in recurring expenditure and had spent twelve times of what had been spent on equipment. After describing the rapid expansion of the department, Mr. Clow said that it had been achieved at a very small expenditure and explained that the whole capital expenditure as well as the recurring expenditure had not exceeded the total income derived from the customs and the listeners. Once again he stressed the inopportune of an exploratory peripatetic committee burrowing into details of each appointment and digging up the foundations now when a three-storey high structure had been built. The radio was a instrument of immense good to India. It had awakened the people not only here but abroad to the cultural richness of India and to its fundamental unity. He had also been struck by the enthusiasm and absence of communal feeling with which the men had been cooperating in the work within the department and he appealed for recognition and encouragement from the public.

The resolution was put to vote and rejected without division.

#### BIHTA RAILWAY DISASTER

**12th. AUGUST :—**The Assembly to-day adopted the following resolution on Justice Sir J. C. Thom's report in connection with the Bihta railway disaster :—

"This Assembly having considered the report of Sir John Thom on the causes of the railway accident at Bihta,

"Firstly, deplores the loss of life involved and offers its sympathy to the relatives of the deceased and to the injured ;

"Secondly, recommends that action be taken by the Government to give effect to the recommendations contained in the report that design, purchase and continued purchase of the X. B. engines shall be the subject of a thorough, searching and independent enquiry ;

"Thirdly, recommends that full investigation be made into the individual responsibility of the officers for the accident ;

"Fourthly, recommends to the Government to take action and to adopt all measures for avoiding similar accidents in future.

"This Assembly further recommends that the report on the enquiries and the action that may be taken in consequence thereof be placed before the Assembly for consideration at an early date."

The original resolution, was moved by Mr. A. G. Clow which was amended by Sir A. H. Ghuznavi as above.

Sir John Thom's report on the Bihta disaster produced an excellent debate. Mr. Clow, on behalf of the Government, opened cautiously, avoiding all controversial points, but it was significant that the first expression of tribute to Sir John Thom's impartiality came from the Opposition. Mr. Clow considered the new committee extraordinarily well qualified for the task and that its terms of reference went farther than Sir Thom's suggestions. The latter had recommended a thorough, searching and independent enquiry and this new Committee would institute one. Mr. Clow hinted that XB engines did not deserve unqualified condemnation, for the M. & S. M. Railway had found them most satisfactory. Mr. K. Santanam was vigorous in his criticism of the Railway Board's reckless extravagance in purchasing 97 XB engines between 1926 and 1930 without proper trial and he asked the House not to overlook Sir John Thom's finding that the accident was directly attributable to negligence.

*Sir A. H. Ghuznavi*, who moved a second amendment, practically on the same lines as *Mr. Santanam's* except that it omitted any reference to the culpability of certain individual officers, regarded the Railway Board as primarily responsible. Neither the G. I. P. nor the E. I. R. had wanted XB engines but had these thrust on them despite their protests.

*Mr. Sri Prakasa* complained that the Government of India had refused to accept *Sir John Thom's* findings, which in the case of any ordinary person would have been regarded as contempt of court.

*Mr. Griffiths*, on behalf of the European Group, roundly charged the E. I. R. with gross negligence throughout, ignoring authoritative warnings and sacrificing safety for speed. *Mr. B. Das*, as engineer, threw out several suggestions. He thought that an American expert would have been more useful on the Committee, and for the Standardisation Office of the Railway Board, he had no use. Safety inspectors, he thought, should be made independent of the Railway Board and placed under the Commerce Department. The House there adjourned till the 15th.

#### ANTI-RECRUITMENT BILL

**15th. AUGUST :—**A stormy and prolonged debate commenced to-day on the Defence Secretary's bill to penalise speeches intended to prevent recruitment to the army or to incite mutiny.

The determination of the Opposition to fight the Bill at every stage was indicated by nearly 40 amendments already tabled with objects including rejection of it altogether, circulation up to various dates in 1939 and reference to a select committee.

*Sir Abdur Rahim*, after hearing the Opposition members, ruled the motion out of order, as it went contrary to the practice of the House and would be inconsistent with the Standing Orders inasmuch as the motion of *Mr. Satyamurthi* was not professedly dilatory but was tantamount to the rejection of the Bill.

Next *Mr. Satyamurthi*, *Mr. Ayyengar*, *Sardar Sant Singh* and *Diwan Lalchand Navahai* moved for circulation of the Bill for different periods ranging from October 30, 1938, till September 30, 1939.

They took a very serious view of the measure and *Mr. Satyamurthi* adopting the procedure of the House of Commons attempted by a dilatory motion to kill the Bill outright by moving that the consideration of the Bill be postponed for nine months. The support given by *Mr. Desai* and *Mr. Aney* to this courteous method of dismissing the Bill was not shared in by *Mr. Jinnah* and finally the President ruled it out as contrary to standing order. *Mr. Satyamurthi* adopted the next best procedure of moving for circulation of the Bill till the last day of the life of the present Assembly. His speech was heard with attention throughout the one hour that he was on his legs. Explaining the Congress party's point of view he quoted the declarations of *Mr. Mackenzie King*, Prime Minister of Canada, and *General Hertzog*, South African Premier, who had each reserved to their countries the right to join or not in any war in which Great Britain might be involved. He ridiculed Britain's foreign policy and declared that India refused to be party to allowing her officers and soldiers to be cannon fodder for Britain in order to maintain her bloated Empire. The members of the European group shouted 'nonsense' when *Mr. Satyamurthi* described Britain as an old woman who had lost her courage and was afraid of every dictator of Europe. Winding up his speech *Mr. Satyamurthi* observed that pacifism was the only Gospel which could save humanity and *Mahatma Gandhi* with his gospel of non-violence and his policy of being friends of all and enemy of none, could save the world.

The Muslim League party did not intervene in the debate to-day but the Nationalist party and others declared their opposition to the Bill. *Sardar Sant Singh*, hailing from the Punjab, pointed out that occasions had arisen when even revolt against the established Government was justified even by jurists.

**16th. AUGUST :—***Mr. Jinnah* sat Sphinx-like through the entire debate to-day, rising only once late in the afternoon to ask the Law Member whether the Government of India introduced the Bill only to oblige the Punjab Government or shared responsibility with them. The hon. *Sir M. N. Mukherji* gave the assurance that the Government of India were also convinced of the necessity for the measure. *Maulana Zafar Ali* flung insinuations all round against the Government for

neglecting Mr. Jinnah and making contacts only with Congress leaders, and against Congress imperialism. Finally, he jumped on to the Government side, making only one stipulation, namely, that the provinces should be entrusted with the working of the Bill.

Mr. *Gadgil*, after describing the British Empire as the greatest enemy of Islam, asserted that men would not be lacking for defending India's freedom or the integrity of her frontiers. He saw in the appointment of Mr. Williams, Additional Defence Secretary, the commencement of an era of fresh measures of which this was the first. Mr. *Akhil Ch. Dutta* recalled the period during the last War when India poured out men and money, but large promises, followed by smooth excuses, had shaken the people's confidence. "Will you consult India before the next War?" he asked the Defence Secretary, because frankly he would not give a blank cheque to the Executive.

The Hon'ble Mr. *Maxwell*, after giving the House some details of widespread propaganda against recruiting in the Punjab, asked whether it really advanced the cause of Pacifism. The rejection of the Bill as a mere gesture, he pleaded, amounted to gambling with the country's safety.

*Lala Shamlal* had some vigorous hits at Mr. Nur Mahomed for his zealous advocacy on the previous day in his homely and entertaining style. Mr. *Joshi* wondered why counter-propaganda and better salaries were not tried in preference to the curtailment of freedom of speech and lastly came Mr. *Abdul Qaiyum* downright as usual in his condemnation.

**17th. AUGUST :—**The speech of Mr. *Ghulam Bhik Narang* belonging to the Muslim League party, revealed in a clearer perspective the attitude of that party in respect of the Bill to-day. He spoke, he said, as a realist and a practical man of the world and though he could not find sufficient words of condemnation for the British Government for using the Indian army for the dismemberment of the Islamic empire, he was not prepared to allow the safety of India to be imperilled by interfering with recruitment. Mr. Narang quoted with some effect from a speech of Mr. Rajagopalachari, the Madras Premier, justifying the need for the Criminal Law Amendment Act to quell the anti-Hindi agitation in south India. He defined the Muslim League party's attitude as one in terms of the amendment tabled by another Punjab Muslim member, to the effect that this bill should come into force in any province only on such date as the provincial Government decide.

Mr. *Abdul Qaiyum*, the Frontier Muslim belonging to the Congress party, asked the Government : "How long are you going to bank on the Punjab Mussalmans?" For his own part he relied on the speech of Nawabzada Mahmud Ali Khan of Waha who was against Indians joining in the army which would be used as mercenaries for strengthening British imperialism.

Some portions of the speech of Mr. *Abdul Qaiyum* to-day were not happily rendered and *Sir Aubrey Metcalfe* described it as unparalleled in the history of this Assembly. The Foreign Secretary's complaint was that Mr. *Abdul Qaiyum* had indulged in an abuse of the liberty of speech to pour racial hatred in a manner which he had not heard for the six long years that he had been connected with the House. *Sir Aubrey* proceeded with a warm defence of the present forward policy in the Frontier in order to protect the people of the settled districts from the trans-frontier tribes.

There was no disposition on the part of party leaders to intervene in to-day's debate. On the other hand, each leader was putting up his followers. In the circumstances, the speeches tended to become unnecessarily lengthy. Further they had the effect of widening the gulf between the Muslim League party and the Congress party. The speeches of Mr. M. *Abdul Ghani*, a Muslim member from Bihar, and Rao Sahib N. Siva Raj, a nominated member for depressed classes from south India, were full of accusation against the Congress party. The House then adjourned till the 22nd.

**22nd. AUGUST :—**Two adjournment motions, one from Mr. *Avinashilingam* and the other from Mr. *Akhil Chandra Datta*, suffered the fate which most such motions have done this session, and then the House settled down to resume the debate on Mr. Ogilvie's Bill to penalise anti-recruitment activities.

Mr. *Asaf Ali* vehemently denied that any word had been said to encourage indiscipline and throw out a challenge to the Government to consult the Provincial Governments. If a majority of them favoured the measure, the Congress Party

would reconsider its position. He acknowledged the hon. Mr. R. M. Maxwell's dexterity and his conciliatory tone, but he had not proved the case for the Government that recruitment had suffered, though, even if it had, the proper remedy would have been to remove the patent inequalities in the conditions of service as between Indian and British troops and to offer better inducements for military life.

Mr. M. S. Aney's was a masterly effort, strong, dignified and reasoned. He deplored the indecent haste with which the Government rushed the measure without adequate proof of damage to recruitment, especially as there was not any imminent danger ahead. The Government of India had, in the provincial sphere, shown during the last eighteen months consistent anxiety to avoid a conflict with the Congress, but why had they failed on this occasion to do so? British conceptions of loyalty he could not comprehend when they turned out a King who preferred love to his throne and swore loyalty to his successor. In any event what right had they to expect the loyalty of a people who had been denied an effective voice in directing their own affairs? Would the Statute of Westminster apply to India, particularly as regards declaration of war?

Mr. Bhulabhai Desai rose and poured out biting sarcasm for nearly fifty minutes. He described the Bill as one of the blackest measures ever sought to be placed on the statute book. The fact that even persuasion was so much feared he took as a compliment to the power of the Congress Party. Only senility could think that a generous dose of repression would produce loyalty; and where, he asked, were the promises made during the last war about the liberation of subject peoples? Actually, the British Empire had added to its possessions under the guise of mandated territories.

The Muslim Leaguers felt extremely uncomfortable as Mr. Desai ridiculed Mr. Zafar Ali's fond hope that once the Bill became law, they could prevent Indian troops being used in Palestine or any Islamic country. Support to the Bill, he declared, involved betrayal of the country's interests.

**23rd. AUGUST :—**The Assembly to-day, amid great excitement, passed by 65 to 55 votes, the Defence Secretary's Anti-Recruitment Activities Bill. All the amendments for circulation were pressed to a division and lost.

The first division on Mr. Satyamurthi's amendment resulted in 65 votes against and 55 for the amendment. The second division on Sardar Sant Singh's amendment for circulation of the Bill was lost by 37 votes to 56.

Mr. Jinnah made a singular speech in support of the position taken up by his party. He affected to eschew heat and passion and patronisingly told the Congress Party that its present policy would do no good to the country. He was satisfied that Provincial Governments could not initiate such legislation and pleaded that the rejection of the Bill might mean the enactment of an ordinance. He chose the lesser of the two evils in supporting the Bill, but proceeded to qualify it by conditions which Government had already agreed to accept. Crooks and crooks preach pacifism, it seems, in every country, but he could not ignore the present world conditions and Congress speeches even more than Mr. Maxwell's had convinced him of the necessity for the measure.

Mr. Ogilvie, in winding up the debate, said that the existing laws were insufficient to cope with the evil, though in the next breath he admitted that normal recruitment had not been affected. He reminded the Opposition of the Oath of Allegiance, and before concluding protested against "the intolerable nature of the stuff the Opposition had reeled out". Before the Chair could give a ruling on Mr. Satyamurthi's protest, the Defence Secretary substituted 'speeches' for 'stuff'. Three divisions followed in all of which the Congress Party lost by a margin of about ten votes.

Detailed discussion on the clauses of the Bill followed in the afternoon, the Congress Party abstaining from participation except to challenge a division at every stage. Mr. Ogilvie accepted every amendment from the Muslim League without argument and Mr. Jinnah later admitted he had bargained for those terms as a condition for his support. The amended Bill requires proof of intention adversely to affect recruitment and reduces the maximum sentence to one year and leaves it to the Provincial Government to bring it into force. It also makes the previous sanction of the Provincial Government obligatory before every prosecution.

Mr. Lalchand Navalrai, Dr. Deshmukh and Mr. Sri Prakasa started the process of opposition all over again in the third reading stage. Dr. Deshmukh had some hits at Mr. Jinnah's party. He asked, with reference to his

suggestion that an ordinance was inevitable in case of rejection of the Bill, whether he would advocate suicide because death was inescapable for everyone.

**24th. AUGUST :—**Mr. *Ogilvie's* Bill had its final passage through the House to-day, which it secured by a margin of 8 votes.

Mr. *Satyamurti* asserted that the Punjab Government as such has not asked for the Bill but only Sir Sikandar Hyat Khan, Sir Henry Craik and the Commander-in-Chief. He had challenged the Government to produce the Punjab Government's despatch, if such a thing existed. It was a vigorous performance, in fact one of the best that Mr. Satyamurti has delivered this session, and the House enjoyed his analysis of Mr. Jinnah's speech in judicial phraseology verdict for the plaintiff, decrees for the defendant; for while all Mr. Jinnah's arguments had supported the Congress position, his votes had gone to the Government's side. Mr. Satyamurti incidentally revealed the fact that the Ahrars, the Muslim Students' Federation and other Muslim organisations had urged the Congress to stand firm in its opposition to the measure. Mr. *Nauman*, on behalf of the Muslim League, strove to defend the attitude of the Muslim League, while Mr. *Sri Prakasa* referred to the use of the Criminal Law Amendment Act against anti-Hindi agitators, but he argued that it only showed how absolute power demoralised every Party and, therefore, confirmed the fears of the Opposition as regards this new measure.

#### MOTOR VEHICLES BILL

After Mr. *Ogilvie's* Bill had been passed came Mr. *Clow's* Motor Vehicles Bill. He expounded the changes made in the Select Committee and asked critics not to be frightened by the length of the Bill, for it contained nothing novel or drastic and only introduced a certain amount of uniformity in place of the divergent practices in the different provinces. He regretted that uninformed criticism still persisted in some quarters about the sinister design to assist railways under cover of regulating motor transport. After all, the safety of the public, the protection of roads, the avoidance of cut-throat competition within the motor industry itself were all commendable objects and the Government fully recognised the necessity for a healthy development of motor transport in the interests of our towns and villages.

**25th. AUGUST :—**After the question-hour to-day, the House rapidly thinned as it settled down to continue the debate on the first reading of the Motor Vehicles Bill as modified by the select committee.

Mr. *Nabibaksh Bhutto*, speaking first, emphasised the importance of motor traffic which he said was equal to that of railways and deserved equal encouragement. He considered that the regulations proposed by the Bill would bear so heavily on motor transport that few would come forward to undertake motor services. It was invidious to insist upon third party insurance in the case of motor transport and not upon railways in which the evil of overcrowding was as bad as in motor transport.

Mr. *Dalal* pleaded for a reduction of driving hours for drivers of goods vehicles and for a more rigorous insistence on drivers refraining from alcoholic drinks before taking the wheel. The intelligence of an average man in India, he declared, was too low to be entrusted with a motor car or a motor cycle. Compulsory third party insurance should, in his opinion, come into force immediately; and he suggested that it should be extended to provide hospitals with a statutory right to recover the liability incurred by them on treating casualties of motor accidents.

Dr. *P. N. Banerjee* directed his criticism of the Bill mainly to what he described as 'additional objects and reasons' which the Select Committee had embodied in Clause 42. He specified the considerations that should guide the Provincial Governments in regulating and controlling motor transport. One of these considerations were the desirability of the development of motor transport and the desirability of preventing the deterioration of the road system. He strongly objected to power of control being given to the Provincial Governments because they had an interest in the prosperity of the railway and would not be impartial. Farther, there were other provinces where Congress Governments did not exist.

Mr. *Manu Subedar*, speaking on behalf of the Chamber of Commerce which he represented, supported the Bill and opposed the motion for circulation. He, however, could not understand how the Government which had opposed Sir Abdul Halim

Ghaznavi's bill, which was attempting to fix maximum rates for water transport, could, at the same time, propose a similar measure for motor transport. He did not agree with the provisions embodied in the Bill in the interests of the railways and that no Provincial Government would ever think of taking any action in the interest of the railways unless all possible economies had been effected in the railway administration.

Mr. S. K. Som, supporting the Bill, referred to the advantages which would accrue to the poor people with the development of motor transport which, according to him, was cheaper and more convenient. He, however, wanted the control and regulation of the motor transport industry to be in the interests of the public and not in those of the railways which, he said, was India's great national waste and not a national asset.

#### MUSLIM WOMEN'S DIVORCE BILL

**26th. AUGUST :—**The presence of a number of women in 'Burqa' in the public galleries to-day, which were full, reflected the interest around by Mr. *Kazimi's* Bill to consolidate the legal provisions regarding divorce among Muslim women, which was the first of the private Bills on the agenda to-day.

The need for the Bill was explained by the fact that there was no provision in the Hanafi code of Muslim law enabling a married Muslim woman to obtain a decree from the courts dissolving her marriage in case her husband neglects to maintain her, makes her life miserable by deserting or persistently maltreating her by absconding, leaving her helpless.

The debate on the Bill was interesting in patches. Mr. *Asaf Ali*, pleading for reform as regards the marriage rights of Muslim women, delicately hinted that some parts of the Bill would need a careful scrutiny in the Select Committee, particularly the last two clauses. One laid down that the conversion of a married Muslim woman to any other faith could not by itself be a ground for the dissolution of the marriage and the other prescribed that all suits relating to Muslim marriage should be tried only by Muslim judges, even in High Courts.

*Bhai Paramanand* and later Mr. B. *Bajoria* showed from the Hindu standpoint the dangers of Clause 5 and in this they found a recent statement of Sir N. N. Sircar useful and appropriate. The House then adjourned till the 29th.

#### MOTOR VEHICLES BILL (CONTD)

**29th. AUGUST :—**The day was devoted to a general discussion on the Motor Vehicles Bill, Mr. Surya Kumar Som, Mr. Birendra Narain Chowdhuri, Mr. Baijnath Bajoria and Mr. Badri Dutt Pande discussing the provisions of the measure in great detail.

The speeches tended to be lengthy, practically everyone occupying forty-five minutes, except Mr. *Aikman* who, on behalf of the European Group, made an admirably lucid statement defining his party's attitude. Interest in the debate was kept alive by frequent cross-bench sparring, which went on throughout the day. Generally speaking, the Congress Party offered warm support to the Bill on the ground urged by Mr. *Anantashayanam Iyengar* that railways had potentialities of becoming a national asset while motor transport was no industry at all, for in affording employment to less than two lakhs of workers it was responsible for an annual drain of Rs. 9 crores.

Dr. *Sir Ziauddin*, with a wealth of statistics and graphical detail, considered the Bill a ghastly jumble of ill-conceived provisions and wondered how motor transport could possibly survive such a formidable combination of adverse factors as top-heavy charges and unmentionable roads. Mr. *Aikman* was apprehensive about the weight of too many restrictions especially on the single bus-owner. Nevertheless, he offered discriminating support. The fixation of maxima and minima fares struck him as being dangerous and the regulation of hours of work, however desirable in theory, was likely to prove impracticable. He wanted no interference with inter-Provincial transport, for it was an essential feature of industrial development. He wanted to see long distance transport grow without obstacles, among which he placed variations of conditions in the different Provinces.

Mr. *Anantashayanam* and later Mr. *Gadgil* vigorously defended the Bill as it had emerged from the Select Committee though Mr. *Pallival* was not free from doubts as to the unqualified excellence of the measure. European interests were keen. They

interpreted Mr. Aikman's speech to mean a stimulating import of motor-cars from England but they could not overlook the far larger issues involved in safeguarding the position of the railways from cut-throat competition. It became clear, through Mr. Gadgil's speech, that on some amendments to Clause 42, there would be interesting divisions.

**31st. AUGUST** :—A keen debate arose to-day on the question whether a licence used by any one other than the holder, must be presumed to have been so used with the holder's consent.

The Congress Nationalist Party wanted to amend sub-clause two, clause six, to read as follows :—"No holder of a licence shall allow it to be used by any other person" and omit the following words : "and in the event of any contravention of this provision, a court may presume that the licence was so issued with the consent of the holder."

The hon. Mr. A. G. Clow, Communications Member, accepted the amendment, which was passed.

The first division on the Bill occurred to-day and was lost by the Government. The division followed a debate lasting nearly an hour, the House at the end agreeing to empower any registered medical practitioner to grant a certificate of fitness for driving. This was secured by an amendment to sub-clause three of clause seven to omit the following words qualifying a registered medical practitioner : "authorised by the Provincial Government by a rule made under section 21 to grant such certificates."

Mr. T. S. Avinashilingam Chettiar, moving the deletion of these words, pointed out that their retention would have the effect of restricting the power of granting certificates to a certain small number of practitioners and thereby create a new "caste".

The amendment was pressed to a division and passed by 67 votes to 37. Members of the European Group for the first time during the session voted in different lobbies. Mr. Griffiths voted against while other members of the group voted for the amendment.

The House rejected Dr. Sir Ziauddin's amendment to empower hakims and vaidas to grant certificates of fitness. Further discussion was adjourned.

**1st. SEPTEMBER** :—The debate on the clauses of the Bill to-day over which on the whole there was general agreement among all parties was relieved by an incident which developed into a constitutional point. The amendment of Prof. Ranga of the Congress party that a political offence should not be a disqualification for a driver for getting a licence was being voted upon when Mr. Akhil Chandra Dutta, Deputy President, made Mr. Satyamurthi, one of the members of the panel of chairman, occupy the Chair and himself voted in the lobby and immediately came back and relieved Mr. Satyamurthi. As for Mr. Satyamurthi he had already voted for the amendment before he was asked to take the Chair. All this happened when the President Sir Abdur Rahim was away for a while. The Muslim League party practically en bloc voted against the amendment.

Sir Ziauddin Ahmed rose indignantly and enquired if it was right for the chairman, Mr. Akhil Chandra Dutta, to have gone and voted as he did. This was a signal for excited scenes, European and Government members cheering Sir Ziauddin while Nationalists and Congressmen standing by Mr. Akhil Chandra Dutta. Mr. Akhil Chandra Dutta was riddled with questions both from Sir Ziauddin and Sir Muhammad Zafrullah Khan and gave his ruling that his own action was perfectly in order.

The significance of the incident can be gauged by the fact that a tie had been apprehended on Prof. Ranga's amendment, but actually, despite Mr. Akhil Chandra Dutta's vote, it was defeated by one vote. But still Sir Muhammad Zafrullah pursued the matter when the President as usual entered the chamber after disposing of office work, and there was another debate which brought Mr. Akhil Chandra Dutta with a stern warning to Sir Abdur Rahim that his position was co-equal to his and therefore, the President could not reverse the ruling given by him (Mr. Akhil Chandra Dutta) when he occupied the Chair. Mr. Bhulabhai Desai warmly defended Mr. Akhil Chandra Dutta's action and gave a similar warning to Sir Abdur Rahim. The issues now for Sir Abdur Rahim to decide were

firstly, whether both the votes of Mr. Akhil Chandra Datta and Mr. Satyamurthi were valid, and secondly, when a person who occupied the Chair was entitled during the voting time to secure relief to go and vote or whether he had only the power to give the casting vote. Sir Abdur promised to give a considered ruling.

#### INDIANISATION OF ARMY

**2nd. SEPTEMBER :—***Maulana Shaukat Ali* moved for a committee of the legislature to implement the recommendation of the Sandhurst Committee of 1929 for reviewing the working of the Indian Sandhurst. The amendments of the Congress party, which were later supported by the Muslim Leaguers, suggested that the committee should consist of a majority of members from among non-official and elected members of the House. But there was an amendment in the name of Mr. A. Aikman, leader of the European group, which the Government was prepared to support. Eventually, however, the resolution of Maulana Shaukat Ali was carried without division, thereby committing the Government to demand of the House for the immediate appointment of a committee to review the working of the Indian Sandhurst.

The speech which seriously disturbed the Congress party and compromised its attitude was made by *Mr. Subbarayan*, the only lady member of the House. Speaking extempore and helped only with a few notes she was heard with attention, particularly by the ladies in the gallery but the views she uttered were considered ultra moderate by the Congress party to which she belonged. She was loudly cheered as she resumed her seat with an appeal for mutual goodwill, cooperation and friendly relations as the only method for the successful working of reforms.

*Mr. Ogilvie's* reply on behalf of the Government was one of the acceptance of the resolution in principle, especially, as the new scheme for the future working of the Indian Sandhurst was nearly ready and could be placed before the committee. This did not satisfy *Mr. Bhulabhai Desai* who, speaking with warmth, reviewed the whole defence policy of the Government of India, particularly, the great disparity in status between the Indian and the Britisher. He stood out and out for complete Indianization.

#### PRESIDENT'S RULING

**5th. SEPTEMBER :—**Before the House plunged into the intricacies of the Motor Vehicles Bill to-day, the *Chair* gave a carefully worded ruling regarding the Deputy President's right to exercise his vote during a division so far as it concerned Thursday's incidents, but for the future he laid down, despite *Mr. Bhulabhai Desai's* contention to the contrary, that the Chair had the right to give guidance and he proposed to do so. Once a division-bell had rung, the lobbies, he categorically stated, were part of the House and, therefore, the Deputy President could not be deemed to be absent from the House in going into the lobbies for recording his vote. Moreover, complications would arise in the event of a tie. The ruling was applauded generally as fair though *Mr. Bhulabhai Desai* seemed to entertain doubts about the competence of the Chair to give one.

#### ATROCITIES IN BURMA—ADJ. MOTION

*Sir Reza Ali*, former Agent-General in South Africa, and Messrs. *Tyabji* and *Dadachanji*, Burma Indian delegates, were present in the gallery when an adjournment motion in regard to Burma riots was discussed. The Government of India were keen that no censure should be indicted on them for the failure of the Burma Government to prevent the riots. But the opposition was keen on carrying the motion if for no other reason than to convey the message of encouragement to the Indian nationals in Burma and their determination to stand up for the self-respect and honour of India. Despite the efforts of *Sir Jagadish Prasad* and *Sir Girija Shankar Bajpai* to prove that everything possible had been done by the Government of India, the motion was carried without division.

*Sir Ziauddin*, as a member of the Muslim League Party, initiated the debate and gave it a good start by displaying photographs of some of those who had been killed and asked, whose blood would not boil at the sight of those atrocities.

*Mr. Satyamurthi* took up the thread and asked if the Government of India would have kept quiet in case even a single Britisher had been killed. The facts were so heart-rending that he was constrained to suggest that either *Sir Jagdish*

Prasad or Sir Girija Shankar Bajpai should have flown to Rangoon, particularly as the Burma Government had refused to help the refugees and tried to appease the wrath of the House by promising to despatch Mr. Satyanathan I. C. S. as agent in Burma almost immediately instead of next month as originally planned. This agent would be in a position to lead evidence on behalf of India and the Indian community before the commission that has been appointed by the Burma Government. Then on the question of compensation to the victims the Government of India had already represented to the Burma Government. Thinking that this was enough evidence of the Government of India's alertness and sympathy with the Indian community, Sir Jagdish asked: 'What more can be done?'

Mr. F. E. James asked the Government of India to see that the agent who would be shortly going to Burma occupied the same status and performed the same functions as the Agent in South Africa and not as the agents in Ceylon or Malaya. He also wanted the Government to consider the question of despatching all Indian troops to Burma to assist the Burma Government. Mean-while the Government of India must compel the Burma Government to accept the principle of compensation for loss of life and property.

#### MOTOR VEHICLES BILL (CONTD)

The Assembly next disposed of nine clauses of the Motor Vehicles Bill. A division was called on a Nationalist party amendment to fix maximum periods of disqualification for reckless driving, unauthorised racing and using a vehicle without a permit, and resulted in a win for the Opposition.

In the original Bill disqualification was prescribed in a proviso to Clause 17 which laid down the minimum period of such disqualification. Prof. P. N. Banerji wanted that a maximum period of two years for reckless driving and unauthorised racing and one year for using a vehicle without a permit should be provided. The amendment was passed by 68 votes to 36.

Twelve more clauses were next passed by the Assembly. In the course of the discussion the House negatived by 44 votes to 35 the European Group's amendment to insert a provision requiring application for certificates of fitness of transport vehicles to be made in a prescribed form giving sufficient details about the vehicle.

Another amendment moved by the Government to regulate the periods during which certificates of fitness should remain effective was opposed by the European Group and the Nationalist party. It was pressed to a division and accepted by a majority of 76 votes to 35.

**6th. SEPTEMBER :—**Buses, used by schools to bring children, would have no need to obtain a permit from the Regional Authority, according to an amendment to the Bill, was passed by the Assembly to-day.

Mr. Bhutto, the mover, Messrs. Bhulabhai Desai, K. Santanam and Ranga, commending the amendment, referred to the fact that these buses were not run on profit and that the charge levied was in many cases hardly enough to cover the maintenance of the vehicle.

The hon. Mr. A. G. Clow, Communications Member, suggested that there was no need for a specific provision of this kind as he felt that exemption in the case of such vehicles would be automatically granted.

The amendment was agreed to without a division.

The House next launched in a discussion of Clause 42. The cheers that greeted Mr. S. K. Som, as he rose to move for the omission of the clause, indicated the general expectation of a prolonged and spirited debate.

Mr. Surya Kumar Sen moved the amendment to delete Clause 42, giving power to the Provincial Governments to control road transport. He declared that this clause was mainly to protect railways from the competition of buses in long distance traffic. Buses, he declared, offered greater conveniences and safety, particularly in avoiding the pilfering that was going on in railway stations and the inefficient handling of goods by the railways. He condemned the railways as wicked, incompetent, careless and callous in the treatment accorded to the lower class passengers. Therefore, why should buses be bound down to various inconveniences, to save the railways, which are as beyond the control and reach of the House as the Viceroy himself?

As for co-ordination and co-operation, Mr. Som declared that it was as stupendous a nonsense as talks of co-operation between England and India so long as India was not free to determine and settle her own affairs. He, for one, would not ask

the House to give dictatorial powers even to Mahatma Gandhi himself, being aware of the use made by Hitler, Mussolini and Stalin of such powers. How could similar power be given to the Provinces over road transport? The Provinces, Mr. Som pointed out, were now interested in railway revenues. Therefore, such absolute power could not be entrusted to them.

Mr. K. Santanam, who was reputed to be the author of the Clause in the Select Committee, vigorously defended its purpose and principles. He said that the original Bill gave representation to railways in all the bodies to be set up to carry out co-ordination; the Bill also gave power to the railways to oppose the giving of permits to long or short distance motor transport. But Clause 42 eliminated the railways from functioning in the Regional and Provincial Transport Authorities.

The clause (said Mr. Santanam) had been criticised as favouring railways and speeches had been made as though the railways need not be considered a national asset. It looked as if foreign rule had produced a mentality, which dared not claim what really belonged to the country. In spite of the mismanagement that had gone on for a long time, the railways did belong to the country and it was necessary to see that when the people inherited that property ultimately, it did not come to them in a worse condition than now.

One of the most important effects of the clause would be to counteract the provision of the Government of India Act, which removed the railways from the purview of the Provincial Governments. The clause provided a point of almost daily contact between the Provincial Governments and the railways.

Mr. F. E. James, explaining the European Group's attitude, made it clear that their opposition to the principle of the clause had nothing to do with the fact that some of the group represented the motor industry. Even if every motor car, bus and lorry were produced in this country, as it would be one day, they would take precisely the same point of view with regard to the clause. They were not opposed to a proper co-ordination, but to the clause as it stood and to the principle of it.

"We believe that co-ordination is difficult, if not impossible, between the two. In the absence of such unified control, co-ordination would be domination." The Provinces, continued Mr. James, had no control over the railway system and yet this clause gave them far-reaching powers of control over the rival system of road transport. Mr. James took each provision and declared that it was not proper in a clause of this kind. If the clause remained in the Bill, the Provincial Governments would have the power to take off all the roads, all public and private carriers. He voiced strong objection to the power of fixing maximum and minimum fares being given to the Provincial Governments. The regulation of rates should, Mr. James contended, be left to be determined by economic factors. He suggested that co-ordination should be attempted at the place where the controlling authorities could meet and discuss things. He admitted the constitutional difficulty under present conditions under which the control of railways was at the Centre and the control of roads was in the Provinces, but he thought that in the Transport Advisory Council, they had the embryo of a machinery for real co-ordination.

Mr. Bhulabhai Desai, Leader of the Opposition, in reply to Mr. James, quoted further from his own speech referred to by Mr. James. The opposition of the European group, said Mr. Desai, could be understood from the fact that in his (Mr. Desai's) speech, he had referred to the road transport industry and explained how it would be an exaggeration and wrong in perspective to consider it a national industry. Opposition to such a point of view was not surprising when it came from representatives of those who wanted to sell oil and cars, no matter what happened to the railways. As regards the clause itself, it omitted the only one objection which he (Mr. Desai) had expressed to co-ordination between road and rail transport. It removed the railway from the machinery proposed by the Bill for the purpose of co-ordination. Mr. James had spoken of the absence of control over the railways, but if he was asked to give his co-operation in any effort to secure that control and make the Federal Railway Authority responsible to the people, though his co-operation would go to the Government, Mr. Desai continued that Mr. James had argued that the clause would enable the Provincial Governments to prohibit all motor traffic on roads. That was not correct and he was sure that Mr. James realised it. The section did not mean that the Provincial Governments could make motor transport disappear to-morrow. Every action to be taken by the Provincial Governments had to be taken under

specified conditions and every such action was subject to cancellation or variation, should it be necessary subsequently. For instance, no Provincial Government was going to fix the rate and restrict the routes unless such restriction was necessary under given conditions. The clause was essentially an enabling one and no Provincial Government were called upon to prohibit anything.

Mr. Desai closed with a reference to the comparative value of rail and road transport from the point of view of the nation as a whole. He had no objection to giving encouragement to the motor industry but such encouragement must be tempered by the consideration of how much the country had to pay out to the foreigner in order to give such encouragement. He said that though a direct control of railways was not constitutionally possible, pressure could be exerted through the Provincial Governments on the railways in order that every means of transport might be co-ordinated.

Mr. Azhar Ali opposed the amendment. Sir Ziauddin Ahmed was speaking when the Assembly adjourned.

**7th. SEPTEMBER :—**The Assembly rejected without a division to-day Prof. Banerji's amendment to delete the provision enumerating the condition under which the Provincial Governments were empowered to control road transport.

Mr. Brojendra Narayan Chauthury's amendment to substitute the provision by which the Provincial Governments were directed to take into account "the desirability of preventing the deterioration of the valuable national assets in Indian Railways" by a new provision namely "the desirability of co-ordinating road and rail transport" was accepted.

Mr. T. S. Avinashilingam Chettiar's amendment to add also the "desirability of preventing uneconomic competition among motor vehicles" to the considerations which the Provincial Governments were to take into account when controlling road transport, was accepted.

Mr. James then moved that part (1) of sub-clause (1) of Clause 42 be omitted. After a short debate, the amendment was pressed to a division and lost, 31 voting for and 80 against.

An amendment seeking to remove the Provincial Governments' power of prohibiting, subject to certain conditions, the conveying of long-distance goods traffic generally, was also lost without a division.

Before rising for the day, another amendment seeking to exclude private carriers from the prohibitions and restrictions to be enforced on long-distance traffic, was also pressed to a division and lost by 30 votes to 78.

Clause 43 occupied the whole of to-day's sitting and when the House rose for the day, 32 out of 54 amendments to the clause had been disposed of.

The Congress Nationalist Party moved most of the amendments considered to-day, but none of them was adopted.

**8th. SEPTEMBER :—**The implications of the State having the power to fix maximum and minimum bus fares and freights were discussed at length to-day on an amendment moved by Mr. F. E. James, seeking the deletion of the provision, in clause 42, giving such power to the Provincial Governments. Mr. James, supported by Sardar Sant Singh, argued that the provision was a Socialist one and declared that the hon. Mr. A. G. Clow, in company with the Congress Party, was going down the slippery slope of Socialism.

Mr. A. G. Clow referred to the fact that the principle of fixing maximum and minimum fares was enshrined in the Bill as originally drafted, and was not a reform due to the influence of the Congress or the Socialists. Even if there were any changes produced in him by his association with the Congress in the Select Committee, or by the debate in the House, that would not be a fault. The amendment was negatived.

The next amendment, moved by Pandit L. K. Maitra, to deny to the Provincial Governments the power of fixing the minimum fares, gave Mr. N. G. Ranga an opportunity to reply to Mr. James. Mr. Ranga declared that the provisions in the Clause, though it was drafted by a Congressman, had nothing to do with Socialism. "The moment the Congress Party becomes Socialist, then Mr. James will be the first to take his passport to go back home." (Laughter.) He put in a spirited plea on behalf of the bullock-cart drivers who, he said, would be crushed out of existence if no minimum fare was fixed for the buses. The amendment was lost.

A number of amendments to Clause 42, that were moved to-day, were rejected by the House and the Clause, amended as follows, was passed amid cheers :—

(1) "A Provincial Government, having regard to:—(a) the advantages offered to the public, trade and industry by the development of motor transport; (b) the desirability of preventing the deterioration of the road system; and (c) the desirability of preventing uneconomic competition among motor vehicles; and after having heard the representatives of the interests affected and having consulted the Provincial and Regional Transport Authorities concerned, may by notification in the official gazette,

(1) Prohibit or restrict throughout the Province or in any area or in any route within the Province, subject to such conditions as it may think desirable, the conveying of long distance goods traffic generally or of prescribed classes of goods, by private or public carriers; or

(11) Fix maximum or minimum fares or freights for stage carriages and public carriers, to be applicable throughout the Province or within any areas or any route within the Province.

(2) The Provincial Government shall permit, at such intervals of time as it may fix, the interests affected by any notification issued under sub-section (1) to make representations urging the cancellation or variation of the notification on the following grounds, namely:—(a) that the railways are not giving reasonable facilities, or are taking unfair advantage of the action of the Provincial Government under this section; or (b) that conditions have changed since the publication of the notification; (c) that the special needs of a particular industry or location require to be considered afresh.

(3) If the Provincial Government, after considering any representation made to it under sub-section (2) and having heard the representatives of the interests affected and the Provincial and Regional Transport Authorities, is satisfied that any notification issued under sub-section (1) ought to be cancelled or varied, it may cancel the notification or vary it in such a manner as it thinks fit."

Before the House rose for the day, the next four clauses were also passed.

#### MUSLIM WOMEN'S DIVORCE BILL (Contd.)

**9th. SEPTEMBER :—**The Assembly to-day continued the debate on Mr. Kazmi's Bill to consolidate the provisions of Muslim Law relating to suits by married Muslim women for the dissolution of their marriages and to remove doubts as to the effect of apostasy of a married Muslim woman on her marriage tie. Mr. Kazmi had moved the reference of the Bill to a Select Committee on the last non-official day.

Mr. G. B. Nairang referred to the many judicial rulings, holding that apostasy automatically dissolved that marriage of a Muslim woman, and said that those rulings were really blunders heaped one upon another and constituting a real tragedy of errors. The real authorities on this matter, he declared, were the Maulvis and not the courts. To a reference made by him 65 well-known Maulvis had replied and out of them 48 had expressed themselves in favour of Clause 5-A. As regards the fear that the clause would prevent the return to the Hindu fold of a Hindu woman abducted and forcibly converted and married to a Muslim, Mr. Nairang asserted that the clause would not apply to such a marriage. If the woman was forcibly converted, then she could not become a Muslim and a forcible marriage was a contradiction in terms. She was, as far as the Bill was concerned, a free agent to do as she liked.

Dr. G. V. Deshmukh, while expressing his full sympathy with the Bill, did not want it to be approached from the same point of view as the mover and of Mr. Nairang, who was supposed to be the real author of the Bill. He was opposed to the Legislature lending itself to perpetuate the doctrines of any particular school of law whether it be according to the decrees of any Shastris or the *Fatwas* of any Ulemas. The questions should be approached from the point of view of social reform, in a spirit of equity, justice and good conscience. When marriage was a matter of contract, its participants should be given freedom to follow the dictates of reason and the law should not be made to support any particular school of law. He, therefore, was not in favour of those sections which referred to the two schools of thought, namely Maliki and Hanafi.

Turning to the provisions dealing with the grounds of divorce, Dr. Deshmukh felt that they did not include all possible and legitimate grounds such as leprosy, venereal diseases, etc. It was not enough to say "for any other reason which may be sufficient under Muslim law for the dissolution of a marriage." This would be vague and leave room for misinterpretations and misunderstandings. The clause providing for the trial of suits took away what was meant to be given under the new Bill. The woman would have to undergo difficulties if there were no Muslim judicial officer available in her district. The methods by which the relief provided by this Bill could be obtained, should not be expensive and should give sufficient facilities.

A learned discourse on the Muslim marriage law by the hon. Sir Mahomed Zafrullah, Commerce Member and Leader of the House, weighted with quotations from the Holy Koran, kept the House and the full galleries interested for nearly an hour. The hon. Sir Mamatha Nath Mukherjee, Law Member, followed with a powerful address, delivered with stateliness and enlivened by humorous anecdotes. Mr. M. S. Aney, Leader of the Congress Nationalist Party, then began his speech but had not concluded when the debate was adjourned till the next session and the House rose for the day.

#### MOTOR VEHICLES BILL (CONTD.)

**12th. SEPTEMBER:**—The Assembly passed clauses 57-A to 63 of the Motor Vehicles Bill to-day and took up consideration of Clause 64, dealing with the restriction of the hours of work of the drivers.

In the course of the debate, two amendments moved by Mr. N. M. Joshi were accepted without a division. By the first amendment, the period for which a driver should work at a stretch, was reduced from 5 and a half hours to 5 hours. Mr. Joshi's other amendment provided that the hours of work of a driver should not be more than 9 hours a day.

A third amendment by Mr. Joshi sought to empower the Provincial Government to modify the provisions referring to the hours of work in prescribed circumstances to increasing the intervals of rest to one hour instead of half an hour, by reducing the hours of work per day to eight, by reducing the hours of work per week from 54 to 48 and by requiring that a driver should have an interval of rest of 24 hours or one calendar day in each week. The amendment was pressed to a division and rejected by 34 votes to 29.

The amendment was supported by the Government and opposed by the European Group, the Congress Nationalists and the Muslim League while the Congress Party remained neutral.

The hon. Mr. R. M. Maxwell, Home Member, then presented the report of the Select Committee on the Bill to amend the law relating to the prevention of cruelty to animals.

#### CONTROL OF MILITARY EXPENDITURE

**13th. SEPTEMBER:**—There was a rally of all Opposition forces, both Hindu and Muslim, in the Assembly to-day in condemnation of a strict financial control over the military expenditure in India.

A cold reception was given to the announcement made by Sir James Grigg, Finance Member, that the British Government had agreed to increase the annual grant paid under the Garra Tribunal's recommendation to £2,000,000. As for the capital grant of £5,000,000 for re-equipment of British and Indian units in India and for the R. A. F. squadrons, the criticism voiced was that India would have to incur a recurring expenditure on these re-equipped forces. The Finance Member appealed for goodwill in the working of the constitution and for participation in the next war if India wanted increased powers.

Cries of 'No' that greeted the Finance Member's observations reflected the strength of feeling against the niggardly grant towards the military expenditure from Britain and also displayed the refusal of the Assembly willingly to help Britain in any war.

Mr. Bhulabhai Desai raised the debate to an emotional pitch. In his opinion the increased grant was but a hugo joke and he said that India refused to be bullied into voluntary participation in any war. With memories of breaking of pledge by Britain after the last war, Mr. Desai caustically commented on Sir

James Grigg's statement and concluded: 'Goodwill cannot be established except by goodwill and India cannot work the constitution at the point of a bayonet.'

The debate was continued by Mr. M. S. Aney on behalf of the Nationalist Party, Eyed Ghulam Bhik Nairang on behalf of the Muslim League Party, and Sir Muhammad Zafrullah Khan and Mr. C. M. G. Ogilvie on behalf of the Government. The Commerce Member declared that the Indians were anxious to defend India just as on the last occasion for the liberty of India and for the integrity of the empire. This observation, however, met with loud protestations from the Opposition benches while it was cheered on the Government benches.

Mr. Ogilvie, Defence Secretary, reiterated the bureaucratic view that the sharing of Government's confidence with the Opposition in defence matters would mean breakdown of the entire fabric of the defence policy.

To the demand of the Assembly for a committee to examine the financial control now exercised over the military expenditure, there was a poor response from the Government as Lord Chalfie of the British Admiralty would be coming over to India in cold weather for an enquiry, whereas the Assembly both by speeches and by votes recorded its verdict in favour of a committee with an elected non-official majority to go into the matter. A heavy defeat sustained by the Government did not apparently create any effect on them: for not only on the resolution of the Congress party for a committee but also on two amendments that followed they persisted in dividing the House.

#### MOTOR VEHICLES BILL (CONTD.)

**14th. SEPTEMBER :—**The Assembly to-day made rapid progress with the detailed debate on the Motor Vehicles Bill, of which over thirty clauses were disposed of during the sitting, up to clause 96. These included a number of provisions relating to insurance, which proved to be considerably less contentious than had been expected.

The European Group made an unsuccessful attempt to exempt from third party insurance those owners who deposited with the Accountant-General, central or provincial, a lakh of rupees. Mr. F. E. James, supported by Mr. Boyle, explained that a similar provision existed in the British Act and argued that there could hardly be any accidents which could not be covered by a lakh of rupees.

Mr. Bhulabhai Desai, Mr. Satyamurti and Mr. K. Santanam, opposing the amendment, pointed out firstly that it would put a premium on bigger bus operations; secondly, if the bigger corporations did not take out third party insurance policies, then the premium for the others, who did take out such policies, would be correspondingly higher; thirdly, it would be absurd to lay down a uniform deposit of one lakh, no matter what the number of vehicles owned was.

Sir M. N. Mukherjee, Law Member, supported the amendment on behalf of the Government and pointed out that such a provision existed in the Bill before it was sent to the Select Committee. The amendment was rejected without a division.

By a Government amendment, clause 94 requiring all vehicles to be insured against third party risks was altered so as to exempt the paid driver from the consequences of contravention of the requirement if the driver acted without knowledge of the absence of an insurance policy. The Assembly adjourned at this stage.

**15th. SEPTEMBER :—**Fourteen more clauses of the Bill were passed by the House before the lunch interval. A new clause moved by Prof. Banerjee was also passed. It empowered Provincial Governments, by notification, to appoint a person or body of persons, without the right to adjudicate, to investigate and report on accidents involving the death of, or bodily injury to, any person arising out of the use of motor vehicles and the extent to which their claims to compensation have been satisfied and to advise and assist such persons or their representatives in representing their claims for compensation.

The motion was supported by the Government.

Mr. Bhulabhai Desai, opposing the clause, appealed to the House to remember that in an already impoverished country it was not advisable to add to the burden by a multiplicity of new bodies. The House accepted the new clause by 49 votes to 38.

An amusing comparison between honorary and paid magistrates was made by Sir Ziauddin in the course of the debate on a successive series of amend-

ments moved by members of the Congress Nationalist and Muslim League parties and by Mr. Abdul Rashid Chaudhury to reduce the maximum penalty provided in Section 111 for minor offences.

The penalty of Rs. 50 was sought to be reduced successively to Rs. 2 and to Rs. 5 and finally the House agreed to Sardar Mangal Singh's amendment to fix it at Rs. 20.

A cognate provision for a fine of Rs. 250 for a repetition of the offence encountered determined opposition from the Congress Nationalist Party, Pandit Lakshmi Kanta Maitra moving for its deletion.

Mr. Clow opposed the amendment which was rejected by 75 votes to 20.

The House later agreed to an official amendment to reduce the maximum of Rs. 250 to Rs. 100 on condition that driving without a license was excluded from the purview of the provision.

Mr. A. R. Chaudhury persevered in his attempt to reduce the penalties in the interests of the poor bus driver. His amendment to exclude rigorous imprisonment from the penalties prescribed in the clause was rejected but he succeeded in reducing the fine for overspeeding from Rs. 200 to Rs. 100.

**16th. SEPTEMBER :—**Two more clauses in the Bill, Clauses 133 and 134, were omitted to-day, one by agreement of the House and the other by a ruling from the Chair (Mr. Satyamurti) that it was *ultra vires*.

Clause 133 empowered the Central Government to modify any of the election schedules to the Bill and the Provincial Governments to modify the tenth, laying down driving regulations.

Mr. J. D. Anderson moved an amendment empowering only the Provincial Government to modify certain schedules in their application to itself.

In the course of the debate on the amendment, reference was made to the possibility of different provinces changing the schedules in different ways, resulting in chaos instead of the uniformity and order that the Bill was intended to bring about. To overcome this difficulty it was suggested that the Central Transport Advisory Council could be utilised to maintain inter-provincial uniformity.

Before the amendment was voted upon, it was agreed that the clause be omitted from the Bill for the present and a more suitable alternative than that suggested by the amendment be brought forward later. The clause was accordingly deleted.

Clause 134 sought to empower the Central Government to exempt motor vehicles belonging to the Defence Department from any of the provisions of the Bill.

Mr. B. J. Desai, on a point of order, argued that the clause was *ultra vires* because the Central Government thereby sought to take to itself powers of exemption which rightly belonged to the Provincial Governments.

Sir Mahomed Zafrullah, intervening, contended that on the question whether a particular clause was *ultra vires* or not, it was not for the Chair to decide the issue, but it was for the House or for the Courts.

Mr. Satyamurti, who was in the Chair, observed that the responsibility for deciding a point of order of this character rested on the Chair and he was not going to shirk that duty and wait till it was raised by some litigant before a Court. He then dealt with the merits of the point of order and upheld it, declaring that the clause was *ultra vires* and should be deleted from the Bill.

Before the House rose for the day all the clauses and schedules of the Bill, except clause two, which dealt with definitions, and clause 136 were passed. In the course of the debate two amendments were moved by Sir Ziauddin Ahmed and Mr. Surya Kumar Som to limit the speed of motor cycles, motor cars and motor cabs. In support of the amendments it was argued that a majority of the road casualties were due to the excessive speeds at which such private vehicles were driven.

Mr. K. G. Mitchell, opposing both the amendments, pointed out that accidents might happen even when vehicles were driven at speeds below forty five or forty miles per hour.

The House rejected both the amendments without a division. Discussion on clause two had not concluded when the House adjourned.

**17th. SEPTEMBER :—**On the occasion of the third reading stage of the Motor Vehicles Bill to-day, Mr. Bhulabhai Desai, in a brilliant speech, referred to the changes

made, which scotched the sinister efforts to impose uncontrolled domination of the railways. He claimed it was a good and hopeful beginning in the co-ordination of motor and railway transport and hoped this would be extended in time to aviation and shipping.

Mr. *M. S. Aney*, without misgivings about the measure about to be placed on the statute book, had no regrets either about the critical attitude of his party towards several of its provisions. Its success would depend, he felt, on the spirit in which it will be worked. Nevertheless, he did not conceal his dissatisfaction with some aspects of the measure, but hoped it might provide a real beginning in co-ordination between the two main forms of transport in the country.

Mr. *Aikman*, on behalf of the European group, while not grudging their tribute to both Mr. Clow and Mr. Mitchell for their sincerity and devotion to the solution of a complicated problem, accepted the measure as the best compromise practicable in the existing circumstances. But he reiterated his party's dislike of clause 42, which gives, in their opinion, for too much power to the Provincial Governments. However, it was a distinct step forward towards evolving a highway code.

Mr. *Nirmal Chandar* thought the Select Committee was entitled to a considerable amount of credit, particularly Mr. K. Santanam, whose invaluable services were responsible for many salutary changes in the Bill.

Mr. *Santanam* felt both Sir M. N. Mukherjee and Mr. Abhil Chandra Dutt deserved grateful mention. As regards clause 42, he suggested that its effect might be to stimulate the interest of the Provincial Government in problems of transport and marketing.

Mr. *Clow* was deeply moved by the generous tributes from all parts of the House and modestly transferred them to those who had put in hard work for years to make a success of this measure. He claimed the Bill was not the last word on the subject, though in some respects it constituted the first word.

#### UNASSISTED EMIGRATION BILL

Then came Sir *G. S. Bajpai's* Bill to prevent unassisted emigration, which he placed before the House in a brief but admirably lucid speech. He showed, with the assistance of figures, how the stream of unassisted emigrants, which had swollen in recent years particularly to Malaya and Ceylon had virtually defeated the objects of the existing legislation. He disowned any desire to interfere with individual freedom, but the Madras Government, which was most concerned with the problem, had entirely agreed that legislative action was necessary.

Mr. *N. G. Ranga*, warmly supporting the measure, made a downright attack on capitalists, whether European or Indian, who did not hesitate to exploit Indian labour abroad.

Mr. *F. E. James*, claiming personal knowledge of the abuses of unassisted emigration, not only supported the Bill but added that leading planters in Malaya would welcome it. After some witty observations at Mr. Ranga's expense, he supported it as both desirable and urgent.

The House was largely influenced by Sir *G. S. Bajpai's* assurance that the measure was intended solely in Indian interests and adopted the Bill with one minor amendment, which the Government accepted. The House then adjourned till the 19th.

#### CRUELTY TO ANIMALS BILL

**19th. SEPTEMBER :—**Mr. *R. M. Maxwell*, Home Member, introduced to-day a new measure for the prevention of cruelty to animals, designed chiefly to deal with Phooka but improved in several other particulars. He pointed out the changes made by the Select Committee, none of which touched the principles of the Bill but seemed to meet the demands of enlightened opinion. The old Act had exempted all religious sacrifices, but the power of exemption was proposed to be conferred on Provincial Governments for application in local areas.

Mr. *Miller*, on behalf of the European Group, expressed the hope that the measure would prevent the unspeakable tortures inflicted on animals under the cover of religious rites and what he described as a commercial cruelty in large cities as well as the cruelties unfortunately common in India as a result of neglect or ignorance.

Both Messrs. *Lalchand Navalrai* and *Ranga* feared harassment at the hands of the police and wanted the prevention of cruelty to the villager in the

name of more stringent provisions. The latter also pleaded for the stoppage of animal fights in villages, accompanied by orgies of gambling and drinking. Mr. *Bajoria* drew a vivid picture of the heartlessness of milkmen in Calcutta butchering new-born calves and the practice of flaying cattle alive.

During detailed discussion on the provisions, the House had the interesting spectacle of Messrs. *Bajoria* and *Aney* vigorously objecting to any animals being destroyed even as a means of putting an end to their miseries on the ground of sentiment and the supreme value attached to the doctrines of *Ahimsa*. But after Mr. *Maxwell* had pronounced the humanitarian view of the matter, the House divided and the Government's view seemed to prevail by a heavy majority. The Congress Party had evidently given freedom of vote to its members: for, while most of them went into the Government lobby, some conscientious objectors voted against the provision.

**20th. SEPTEMBER :—**The Bill went through with the blessings of Mrs. *Subbaroyan* and Mr. *Aney* to-day both of whom laid stress on the necessity for the strict enforcement of the measure. The former added in the course of her much applauded speech that voluntary effort must continue to do educative propaganda.

#### CHILDREN'S EMPLOYMENT BILL

Sir *Mahomed Zafullah's* Bill to prohibit employment of children under fifteen in docks, quays, wharves or transport took only forty minutes for all stages, its necessity being generally recognised. Mr. *Zafar Ali* described it as a halting and lame measure and wanted some provision for the education and feeding of those children who would be thrown out of employment. Mr. *N. G. Ranga*, who had failed earlier to introduce a provision for the spread-over of working hours for children into the Bill, suggested an amendment of the Factories Act for the same purpose.

#### EMPLOYERS' LIABILITY BILL

Sir *Mahomed Zafullah's* Employers' Liability Bill took even less time. Mr. *Ranga* again made an effort to broaden the scope of the measure by demanding that employers' legal obligations should apply even in cases of workmen entering into definite undertakings to the contrary, but Sir *Zafullah* would not go so far and resisted the proposed change.

#### AIRCRAFT ACT AMEND. BILL

Sir *G. S. Bajpai's* measure to amend the Aircraft Act to enable precautions being taken against the spread of epidemics had an uneventful passage, except for certain amendments which Mr. *K. Sanatanam* suggested and Sir *Girija* had no difficulty in accepting.

#### TEA CESS AMEND. BILL

The Bill for amending the Tea Cess Act to include a representative for Travancore on the Tea Market Expansion Board gave Assam's representatives an opportunity to raise the question of the proper control of large sums of money placed at the disposal of the Board and one heard lurid stories of the methods of certain Superintendents, but the House was not disposed to obstruct any business and allowed it to go through.

Next came Dr. *Deshmukh's* Bill for divorce among Hindu women, which was merely introduced.

#### MUSLIM WOMEN'S DIVORCE BILL

Mr. *Kazmi* had the satisfaction of seeing his Bill referred to a Select Committee, but only after Messrs. *Aney* and *Satyamurti* had made it clear that fairly drastic alterations would be necessary if the House were to give its approval at a later stage to the Bill. Mr. *Aney* made no secret of his strong dislike for the provision referring to apostasy and though the motion for Select Committee was ultimately adopted, there was no doubt that the measure will be altered beyond recognition when it comes up again before the House.

The House then adjourned till the 10th, November at Delhi to take up the Income-tax Bill.

## Special Session—New Delhi—10th. Nov. to 12th. Dec. 1938

### PUBLIC ACCOUNTS COMMITTEE REPORT

The special session of the Assembly opened at New Delhi on the 10th. November 1938 with a brief sitting which ended by lunch time. Sir *Abdur Rahim* presided.

After questions, the *President* announced that Mr. T. S. A. Chettiar's two adjournment motions relating to the Chatfield Committee had been disallowed by the Governor-General. He ruled of order Mr. *Badri Dutt Pande's* adjournment motion to discuss the "late running" of trains and the number of accidents on the E. I. Railway.

When Sir *James Grigg's* motion that reports of the Public Accounts Committee for 1934-35, 1935-36 and 1936-37 be taken into consideration was moved, Mr. *Satyamurthi* pointed out that the volumes of evidence relating to 1936-37 had not yet been made available to members, but that he understood they might be available to members by the beginning of December. Without the volumes of evidence the discussion in the House could not be sufficiently full or informed and he therefore suggested that the debate on the motion be postponed to a later sitting in December. He was optimistic enough to believe that the discussion on the Income-tax Bill would be completed by December 4 or 5, a day or two would be available for the debate on the Public Accounts Committee's reports.

Sir *Ziauddin Ahmed* expressed disagreement, but the House agreed to postponement. The House then rapidly dealt with Sir *James Grigg's* demands for excess grants under various heads aggregating nearly to Rs. 2 crores. The House adjourned till the 14th.

### KEMAL PASHA'S DEATH

**14th. NOVEMBER :—**The Assembly passed to-day a condolence motion on Kemal Pasha's death and adjourned as a mark of respect. Mr. *Bhulabhai Desai* initiated the condolence motion and Sir N. N. Sircar did not raise any objection, so that all that was transacted today was the answering of questions.

### MUNICIPAL FRANCHISE IN AJMER AND MERWARA

**15th. NOVEMBER :—**The Bill to lower the educational qualification for Municipal franchise in Ajmer-Merwara, brought by Sir *G. S. Bajpai*, occupied most of the sitting of the Assembly today.

Sir *G. S. Bajpai* explained that the Bill sought to lower the qualification from the possession of a certificate as of a graduate to the passing of the upper primary (fourth standard) examination or any other examination prescribed by a rule in this behalf as at least equivalent to that examination. This together with a reduction in the proprietary and income qualifications would result in increasing the electorate from about 7,000 to about 30,000 voters. This change, he pointed out, was not immutable, but would lead to a further broadening of the basis of franchise before long. An immediate adoption of literacy qualification, however, would be difficult for the principal reason that it involved individual examination of the elector, for which there was at present no administrative machinery. The possession of the upper primary certificate would be a simple and an automatic test.

### PHOOKA BILL PASSED

Earlier the Phooka Bill and the Bill relating to the admission of children in certain employments, as amended by the Council of State, was assented to.

### PROTECTION OF INVENTIONS AND DESIGNS

The House next referred to a select committee, the bill further to amend the law relating to the protection of inventions and designs.

Moving reference to a select committee, Sir *Muhammad* referred to the principal object of the Bill which, he said, was to put a stop to the import of goods made or produced outside India with a design in which copyright existed under the Patents and Designs Act, 1911, unless the application of such a design had been made with licence or the written consent of the registered proprietor of the design.

After a brief reply from Sir Muhammad, the House without division referred the Bill to a select committee.

#### TAXATION OF RAILWAY PROPERTY

*Sir Thomas Stewart* next moved that the Bill to regulate the extent to which railway property shall be liable to taxation imposed by an authority within a province be circulated for the purpose of eliciting opinion thereon.

*Mr. K. Santhanam* moving an amendment that the Bill be circulated till Oct. 1, 1939, pointed out that sufficient time should be given to the provincial Governments and other authorities to consider the matter before giving their opinions. Messrs. Aney, Ananthasayanam Ayyangar and Sir Muhammad Ziauddin were opposed to the Bill and wanted that the motion for circulation should be thrown out.

*Sir Thomas Stewart*, replying, made it clear that the Bill involved no new assumption of power by the Government. It merely restored to the Government the power enjoyed by them until the new Act came into force on April 1937. He suspected that most of the opposition to the Bill arose from the fact that in certain parts of it the word 'Federal' occurred. But he assured the House that there was nothing sinister in it. Regarding the fixing of the date upto which the Bill should be circulated, he pointed out that it was not the usual practice to fix such a date.

The House divided on *Sir Thomas Stewart's* motion and rejected it by 63 votes to 41, the Muslim League party voting with the Congress against the motion. The House then adjourned.

#### INCOME-TAX BILL DEBATE

**16th. NOVEMBER :—**Two notable speeches marked the opening day's proceedings of the first stage of the debate on the Income-Tax Bill today. The hon. *Sir James Grigg's* speech, though brief, was full of humour, while *Mr. Bhulabhai Desai's* was a lucid and masterly exposition of the intricacies of the measure.

The *Finance Member* gratefully acknowledged the absence of any jarring or illtempered note during the proceedings of the Select Committee and paid a great tribute to *Mr. Bhulabhai Desai's* skill, energy and knowledge and sweet reasonableness. The Bill, as it had emerged from the Select Committee, had not undergone transformation on any fundamental point and he described the changes as changes which stiffened the law against tax-dodgers while it softened the rigours of the law with regard to the honest taxpayer. Five-sixths of India's income-taxpayers would be afforded relief under the Bill, especially those whose earnings were under Rs. 8,000. Referring to the Congress High Command's disapproval of Section 49 dealing with double income-tax relief, *Sir James Grigg* estimated that the ultimate net loss to India would only amount to Rs. 60 lakhs and not Rs. 130 lakhs as stated by *Sardar Patel*. His defence was that even now British companies pay more than Indian companies and with the repeal of the Section and the termination of reciprocal arrangements, they would pay 7 and three-fourth annas against 3 and a half annas paid by Indian companies. But even those Rs. 60 lakhs could be more or less saved if Section 4 were passed and the exemption from taxation of pay of officers on leave was cancelled.

*Mr. Bhulabhai Desai's* reply, which occupied two and a half hours, was acknowledged on all sides to be his finest performance since he entered the House and showed a complete grasp of the subject. *Mr. Desai* wondered whether *Sir James Grigg's* responsiveness was due to the mellowing effects of age and the new circumstances or the realisation that the Government had been unfriendly too long. But he refused to be led away by the *Finance Member's* plea on behalf of poor India. If one could legitimately make an Englishman pay more, why not take it, he asked. Section 4 as it stood implied that every Indian should pay, while non-Indians need not. Nor could he understand the spacious argument about Section 53 justifying the additional burden on the rich Indian taxpayer so as to afford relief to the Englishman. An extra crore, he felt, would make considerable difference to the nation-building departments. He characterised the arrangement devised under the Bill for giving relief to double-tax payers as unjust and atrocious. *Mr. Desai* received a great ovation at the end of his brilliant speech.

**17th. NOVEMBER :—**Mr. *Lalchand Navalrai* dealt mainly with Clause 4, representing the strong feelings of merchants on the subject of taxation of incomes earned abroad. *Dr. Dalal*, who saw nothing wrong in the measure, rose almost to lyrical heights in commending it to the House.

Mr. *Sami Venkatachalam Chetty* condemned the Bill and, by implication, almost every one who had participated in the deliberations of the Select Committee. He considered it strange that while a less representative House had rejected a similar measure six years ago, this House should bless it even in a qualified manner. The temptation of increasing the resources of the Provincial Governments, he thought, had misled some even among his colleagues. If Sir James Grigg was sincere in that intention why did he not, he asked, tap every source, whether Indian or British, for after all India wanted a fair field and no favour? He twitted the Finance Member with great knowledge of tax-dodging which in England had been practised as a fine art, whereas evasion in this country was comparatively trivial. Mr. Chetty objected to the provision for taxing incomes earned by traders outside India, for the Government of India had done nothing for them. He instanced the case of Indian trading interests in Burma. The House then adjourned till the 21st.

**21st. NOVEMBER :—**The Leader of the European Group, Mr. *Aikman*, and an important unattached member, *Sir Cowasji Jehangir*, spoke on the Bill to-day, the third day of the general debate on the Bill. Sir Cowasji Jehangir dealt in the main with Clause 4, 5, 17 and 53 and expressed that Clause Four and Five made a revolutionary change in the system of taxation in the country.

Mr. *Aikman*, on behalf of the European Group, drew cheers from the Opposition benches for his observation that the income-tax officials betrayed an attitude of permanent hostility towards the assesses but otherwise he seemed disposed to support the Bill.

Sir *Cowasji Jehangir*, armed with quotations from a debate on a similar Bill seven years ago, twitted the European Group with having altered their point of view because on the previous occasion they had joined the rest of the House in opposition to the Bill.

Mr. *Sri Prakasa* raised several laughs as he pointed out the practical difficulties of the humbler tax-prayer. He appealed to the Finance Member to show some consideration for the joint family system. He declared in a way of sarcasm that it was not a financial Bill but a moral Bill—to raise the morality of the Indians. The Bill seemed to him to be an amendment to criminal law rather than income tax law.

**22nd. NOVEMBER :—**The pre-lunch sitting of the Assembly to-day, the fourth day of the general debate on the Bill, was notable for a raoy and thrustful speech by *Sir H. P. Mody*, who, with a series of quips and sallies kept the House in boisterous good humour. Income-tax payers, he said, could be divided into three categories, the dishonest, the 'not quite' honest, and fools. (Laughter). Fools were those who declared their full income and paid up without a murmur. (Renewed laughter). The Bill was calculated to sharpen the wits of the dishonest and worsen the lot of the honest. It was based on a reversal of the well-known principle of jurisprudence and seemed to assume that it is better that a hundred innocent men should be condemned than that one guilty man should escape.

Mr. *Gadgil* agreed that all those with taxable incomes must pay up what was expected under this Bill because he felt it to be one of the obligations attendant on citizenship. The Bill, he admitted, was brought with a view to perfect the machinery for collecting income-tax. He was also in agreement with the clause for taxing foreign incomes but he was strongly opposed to the provision distinguishing between domiciles and non-domiciles. He wanted Double Tax Relief to be deleted, on the ground that needs of the State transcended all contracts. He asked in this connection how many countries had entered into such reciprocal agreements.

*Pundit K. K. Malaviya* brought to the notice of the House that the Bill completely overlooked an important aspect found in the English Law, namely, taxing of surplus income or in other words income over and above what was necessary for the essential comforts of the assessee. In England, he pointed out, one fifth of the income not exceeding £300 was not taxable. Over and above this, there were the married man's allowance, the single man's allowance, for children and for dependents. These

allowances, therefore, mitigate the incidence of taxation in England helped in raising the standard of living and provided for the better maintenance and education of children. He had not concluded when the House adjourned.

**23rd. NOVEMBER :—**Dr. *Deshmukh* and Mr. *Nauman* spoke to-day dealing with the Bill exhaustively. The former, in a racy speech, kept the House interested, while Mr. *Nauman* made it clear that both on clause 4 and on the provision for double income-tax relief the Muslim members shared the views of the Congress Party. Towards the end of the day, Mr. *S. P. Chambers* lucidly explained the many points on which doubts had been expressed in the course of the debates.

Dr. *G. V. Deshmukh*, in the course of a vigorous criticism of certain features of the Bill, said the main provisions in it could be defined as follows: "to relieve the poor income-tax payer at the expense of the rich income-tax payer; to use the revenue realised to help the Provinces; to assume that Indians want relief from taxation only as against their richer brethren and not as against the foreigner; to assume also that every Indian has the right to be harassed." But what, he asked, was the real disease to be treated? It was the drain caused by pensions, interest-free securities and debentures, double income-tax relief and so on. And nothing was being done to deal with this drain. What right did the Government of India have to cast covetous eyes on the foreign income of Indians? Had the Government done anything to help them in the earning of this income? Had they given such help as the United Kingdom Government had, for instance, given to its nationals trading abroad in the shape of export credit or other methods? Referring to tax-dodging, Dr. *Deshmukh* asked if it was a vice only of Indians. Was it not prevalent in England. He read an extract from *The Daily Herald* of London which, he said, showed that even in the present anxious times for England some £20 or £30 million were being lost to the treasury owing to tax-dodging. And Indians who owed nothing to their Government had greater justification to dodge taxes than Englishmen whom their Government helped in all possible ways. The Finance Member had no right to stand in the House and moralise about tax-dodging.

The House at this stage adjourned till the 26th.

**26th. NOVEMBER :—**The Assembly rose to-day with the satisfaction of having finished the general debate on the Income Tax Bill. Among the notable speeches were those of Mr. *Huseinbhai Lalljee*, Messrs. *M. S. Aney*, and *N. M. Joshi* and finally that of Sir *James Grigg*.

Mr. *Lalljee* felt he could not be a party to invidious distinctions being made against Indian businessmen. His main grievance was that the unfortunate Indian trader abroad, for whom the Government of India does nothing, should be squeezed on principle to get money anyhow.

Mr. *M. S. Aney* paid a great tribute to Mr. *Blulabhai Desai's* marvellous speech, his unrivalled grasp of the principles of income-tax, but could not detect the impress of his personality on the Bill. He felt the need for considerable caution in approaching the Finance Member, even when he seemed amiable.

Sir *A. Ghuznavi* caused much embarrassment to the Muslim League party by his opposition to clause 4 urging that taxation on the accrual basis would crush Indian business abroad.

Mr. *Joshi* deplored that the definition of dividend would enable conversion of profits into capital, thus cheating labour of its legitimate due. As for the rest he supported the Bill as regards clause 4 on the ground that those who could should pay. He thought that previous exemptions given by the Government of India savoured of nepotism, particularly pensions and leave salaries. He seemed to be uncompromising about granting privileges to Britishers who, he thought, should pay for them.

Sir *James Grigg* confined himself to clauses 4 and 53. He thought several speakers had regarded tax-dodging almost as praiseworthy, forgetting that the increased revenues will go to the provinces. The cases of harsh treatment by income-tax officials seemed to him to be extra-ordinarily few, considering their very difficult task and the definition of a poor assessee arising out of the debate was a man with at least twenty thousand per year. He entered into an elaborate

defence of clause 53, relating it as bad tactics for the Opposition to upset existing arrangements on the eve of important changes and pointed out that twenty-eight different colonies and Dominions granted double income-tax relief, including Eire.

Towards the end, he made the Government's attitude clear in the event of clause 4 being mangled, as he described it. Capitalists did well, he thought, with tariffs, subsidies and the Government's stores purchase policy. But if the Congress should still extend its sympathy further and reject the essential part of clause 4, the fate of the Bill would be endangered and his offer regarding taxation of leave salaries would be withdrawn.

#### MAULANA SHAUKAT ALI'S DEATH

**28th. NOVEMBER** :—As a mark of respect to the memory of *Maulana Shaukat Ali*, the Assembly adjourned to-day without transacting any business. Before the adjournment of the House tributes were paid by the parties and the President to the Maulana's qualities and to his services to the country.

#### INCOME-TAX BILL DEBATE (CONTD.)

**29th. NOVEMBER** :—The expected crisis over the Income Tax Bill arose in the Assembly to-day with dramatic swiftness. The all important Clause (4) was taken up immediately after question time when Mr. B. Das moved that it be deleted.

Mr. Aikman, Leader of the European Group, supported the motion and made the position of the group clear. He took his stand, amid cheers, on the declaration made in 1931 by the then Leader of the group strongly opposing the acceptance of what the other parties in the House regarded as unfair discrimination or preferential treatment in their favour. Mr. Aikman declared that their attitude remained unchanged to-day. He appealed to the Finance Member not to carry out his threat to withdraw the Bill if the Clause was altered.

Mr. Bhulabhai Desai, Leader of the Opposition and Mr. Jinnah spoke strongly against the Clause and the new basis of taxation which it embodied, particularly, the discrimination sought to be made in favour of non-Indians.

Sir James Grigg, Finance Member, followed with a dramatic offer to "test the bonafides of the House" and asked whether the House was prepared to agree to the removal of provisions which had been characterised as discriminatory and to which the European Group had expressed its opposition, this removal being subject to safeguards against absurd results in the case of foreign visitors which he had explained would result if the pure residence basis was adopted. The issue, he asserted, was whether the Congress party's object was merely to remove discrimination or whether they did not want to tax themselves or their millionaire friends.

Mr. Jinnah entered a spirited protest against the Finance Member's claim to test anyone's bonafides, particularly the bonafides of the House. He pointed out that the issue was not merely the discriminatory provisions but the accrual basis also. After further argument, the House agreed to let the consideration of the Clause stand over till the Finance Member and Leaders of the parties met in an exploratory conference to see if alternative methods could be discovered.

To the President's question, members expressed the desire not to proceed with the consideration of other Clauses in the meanwhile and the President then adjourned the House.

**30th. NOVEMBER** :—Sir James Grigg, the Finance Member, announced after question time to-day that in accordance with the arrangement made in the House, party leaders and himself met yesterday afternoon to discuss the basis for a possible comprehensive compromise on clauses 4 and 5 of the Income-Tax Bill. Quite definite progress was made and the prospects of an agreement were sufficiently favourable to justify the House in postponing consideration of these clauses for the present and going on with the remaining clauses. The House accordingly took up clause 6.

The Finance Member gave a number of assurances regarding the proposal to appoint what might be described as Central Co-ordinating Commissioners of Income-Tax, apart from Commissioners for specified areas. The proposal is contained in Sub-Section 2 of the proposed Section 5 of Clause 6.

Mr. Lalchand Navalrai moved the deletion of the proposal and argued that it amounted to a multiplication of machinery and would add to the already top-heavy administration of the Department.

The hon. *Sir James Grigg* explained the purpose of the proposal and said the function of these Commissioners would be mainly to co-ordinate; they would not deal with ordinary cases but with cases of a special kind, such as those relating to insurance or suspected fraud or assessment of concerns whose operations extended to more than one circle.

Mr. *M. S. Aney* wanted to know if non-Indians or more experts from abroad would be appointed to these Central posts.

*Sir James* said that no assurance could be given on the first point because in the Income-Tax Department, there were at present Indian as well as non-Indian officers who might be appointed; but as regards the second part of the query, he was near enough to retirement from India to desire a quiet time for the rest of his term.

In reply to Mr. *Satyamurti's* questions, *Sir James* gave the assurance that the three Commissioners of this type, agreed to by the Select Committee, would be the maximum number, that at present there was no intention to appoint all the three at once, that the appointments would not be made in advance of the need and that when appointed, they would not be permitted to "grab" cases in order to justify their existence.

Mr. *Navalrai's* amendment was rejected and the Clause, with a few verbal changes, was passed.

The provision in Clause 7 to tax salaries due, instead of salaries actually paid, met with strenuous opposition. *Prof. Banerjee*, moving its omission, said that it would have a harassing effect on poor persons and declared that it ran counter to the principle of ability to pay.

Mr. *S. P. Chambers*, Income-Tax Expert, said that the provision was intended to stop the loopholes of evasion. In one circle alone, as he had already mentioned, he had found 400 cases of persons not taking their salaries in order to escape taxation. As for cases of genuine hardship, in which salaries were not paid, either because the employers went bankrupt or raised an objection, instructions would be issued to see that these were dealt with leniently. No specific provision need be made for this purpose.

Mr. *M. S. Aney* considered this an anomalous and unsatisfactory state of things. The House could not remain content with the assurance given by Mr. *Chambers* that cases of employees, who never received their salaries, would be treated leniently. In case of non-receipt of salary, the question would arise whether it was, or was not an attempt at an evasion of tax. It was no good leaving the decision on that point to each administrative officer as he choose.

Mr. *K. Santanam* pointed out that the question was whether the tax was payable and where cases of hardship of the kind under discussion had arisen, the liability for payment should be that of the employer in cases where the tax was deducted at the source. He would move an amendment to this effect later. *Prof. Banerji's* amendment was lost.

Clause Eight of the Bill provided the first division on the Income-Tax Amendment Bill. The House rejected by 58 votes to 45 Mr. *M. S. Ananthasayanam Iyengar's* amendment, whereby an attempt was made to remove what Mr. *Iyengar* considered to be hardships that would arise in the form of double-taxation when, under this Clause, tax would be levied on loans or advances on the security of salary that would be due in the future.

Mr. *Chambers*, opposing the amendment, explained that the amendment was not necessary as the hardship contemplated by the mover would not occur in view of Section 60 (2) of the Act, which provided for relief in the event of such contingencies.

The House next accepted, by 72 votes to 32, Mr. *Santanam's* amendment by which it was provided that in cases where salary was deductible at the source, the assessee should not be called upon to pay the tax himself to the extent deducted, unless he received the salary without such deduction.

The House also accepted without a division Mr. *Santanam's* amendment, which sought to provide that in case of unrecognised provident funds, tax would only be levied on such amount to the extent to which it did not consist of the contribution by the assessee or the interest on such contribution by the assessee.

Clause 8 as amended was passed. A detailed discussion followed on an amendment to the next clause, moved by *Lala Shamlal*, suggesting that any tax paid to any municipality, cantonment board or any local board, should be exempted in computing incomes from property for purposes of Income-Tax.

The main argument in favour of the amendment advanced by the speakers, including Mr. Bhulabhai Desai, Mr. M. S. Aney, Sir Cowasji Jehangir, and Sir Abdullah Haroon, was that the net income of the property owner and not his gross income should be taken into account in taxing him.

Sir James Grigg and Mr. Chambers pointed out that the amendment would reduce the tax on property owners. Sir James argued that the amendment would result in a reduction in revenue to the extent of fourteen or fifteen lakhs. If the House went on making small changes here and there and giving Christmas presents all round, nothing would be left of the Bill.

In reply to questions, Sir James stated that exemptions were at present allowed in respect of municipal and other taxes paid by the occupier and if there was any doubt or lack of uniformity in this matter in parts of India, he undertook to issue instructions, making it clear that these deductions shall be made.

Lala Shamlal withdrew his amendment. Clause 9 had not yet been disposed of when the House adjourned.

**1st. DECEMBER :—**Mr. T. S. Avinashilingam Chettiar moved an amendment to-day to exempt from taxation any expenditure (not being in the nature of capital expenditure) made definitely for the benefit of the employees or the dependents of those employees. Mr. Chettiar explained that as the law was at present interpreted, only sums spent by employers on a hospital or a school intended solely for the benefit of employees or their children were exempted but not sums contributed by employers to similar institutions to which the public generally had access.

Sir James Grigg pointed out that instructions had already been issued that Income-tax Officers should adopt a more liberal interpretation in allowing exemption for welfare expenditure. But to extend the benefit of such exemption, as the amendment sought to do, to expenditure on the employees' dependents would be to extend the exemption to unapproved funds and to contributions made to such funds. To that he could not agree. The amendment was withdrawn.

The House rejected without division a lengthy amendment by Mr. Sami Venkatachalam Chetti intended to restrict the power given under the Bill to the Income-Tax Officer to estimate bad or doubtful debts.

Clauses 10, 11 and 12 were passed with minor amendments. During the consideration of Clause 10, Mr. B. D. Pande wanted it to be amended so as to include scientific apparatus and surgical equipment among the items for which allowances would be made when assessment was made in respect of profits from business. The House accepted Mr. Pande's amendment.

The heavily technical character of the debate was brightened towards the end of the day's sitting when the hon. Sir N. N. Sircar made one of his rare interventions with a sparklingly humorous speech. He spoke on Mr. S. K. Som's amendment, suggesting a series of deductions in the taxable income of the assessee. Mr. Som referred to the practice in the United Kingdom and America where allowances were made for wife, children, dependents etc., and asked why similar allowances should not be made in India.

Sardar Sant Singh and Mr. B. Choudhury supported the amendment and pleaded that, in fairness, an allowance should be made in the case, for instance, of a married person with an income. The demands on the two classes of persons were entirely different, and the State in taxing them should take the difference into proper account.

The hon. Sir James Grigg said that two points or order could have been urged against the amendment. Firstly, it sought to vary a tax in which the Provinces were interested and, secondly, it was not appropriate to a Bill which did not seek to lay down the scale of taxation. The amendment would be more appropriate to the Finance Bill when it could be considered in relation to the scale of taxes proposed in that Bill. He did not, however, propose to raise these points of order but to urge that the amendment would cost a great deal of money (cries of "Oh, oh") Money, after all, was the most effective argument. The discussion had not concluded when the House rose for the day.

**2nd. DECEMBER :—**The Assembly rejected by 93 votes to 11 Mr. Som's amendment suggesting a number of deductions in the taxable income of the assessee by way of allowances for marriage, children and dependents. During to-day's discussion on the amendment which was moved last evening by Mr. Som, Mr. A. C. Datta and Mr. Husseinbhai Laljee supported the amendment while Mr. Bhulabhai Desai opposed it.

The House, after lunch, passed clause 16 and took up consideration of the "trust" clause. Sir *Cowasji Jehangir* moved that the provision by which income arising to any person by virtue of a settlement or disposition, revocable or irrevocable, from assets remaining the property of the settler or disposer would be deemed to be the income of the settler or disposer. Sir *Cowasji* believed that trusts, unlike in England, in this country were not made for evading taxation. He also referred to the amendment to the Income Tax Act made in 1937 in this respect and pointed out that the 1937 amendment which was expected to yield about 30 lakhs did in fact only yield about 2 lakhs. This, he said, would show that there was really very little that could be got from this source. Mr. *Chambers* opposing the amendment stated the intentions behind the present provision.

#### DENUNCIATION OF ANTI-INDIAN MEMORIAL

He had not concluded when the House took up consideration of the adjournment motion tabled by *Sj. Shri Prakash* to discuss.

*Sj. Sri Prakasa*, in moving the adjournment motion, censured the Government for associating themselves through the Commander-in-Chief with a memorial bearing an inscription in which Indians who fought against them have been described as "mutineers". *Sj. Sri Prakash's* speech was the most impressive of the day and the motion was passed without a division.

"Would my honourable friends", said *Sj. Sri Prakasa*, "want me to raise a memorial at the Khani Darwaza (in Delhi) where tradition says hundreds of my people were shot at the cannons' mouth from day to day and about which it is said when the valiant General found one day only 99 were available he added his own Khansama so that the quota of hundred might be made up?"

"I have no objection to memorials being raised to the fallen gallant and brave men on either side", said *Mr. Sri Prakasa*. "If the memorial was sacred to the memory of the brave men who fought and died there in 1858 instead of lamentation we will have remembrance and instead of pity, praise. If such were the language of the memorial I would have no objection but when one side is referred to as mutineers and as enemies and praise for gallantry is only reserved for one side thou I have my objections. It's not only the victors who are brave, the conquered may be braver".

#### THE INCOME-TAX AMEND. BILL (CONTD.)

**5th, DECEMBER :—**After a debate lasting for nearly 2 hours to-day, the Government accepted the Congress amendment the trust clause (clause 17) moved by *Mr. Santhanam* on Friday.

The amendment sought to provide that the clause, which proposes to tax certain classes of trusts shall not apply to any income arising to any person by virtue of a settlement or disposition which was not recoverable for a period exceeding 6 years or during the lifetime of the person and from which income the settler or disposer derives no direct or indirect benefit.

After *Mr. Chambers* had concluded his speech on the trust clause which he began on Friday evening, *Mr. A. C. Datta*, Deputy President, supported the amendment as the lesser evil in view of the fact that the amendment to delete the clause was not moved.

*Mr. N. C. Chunder* (Congress), supporting the amendment declared, that *Mr. Chambers* in opposing the Bill was going from one argument of despair to another. He said that none of the reported cases on the subject of Wakfs in High Courts would lend support to the position enunciated by *Mr. Chambers*.

*Mr. Bulabhai Desai* explained that the proposed amendment did cover the aspect raised by *Mr. Jinnah* but in order to clarify it he suggested that the words "but that the settler shall be liable to be assessed on the said income as and when the power to revoke arises to him," be added at the end of the proposed proviso.

*Sir James Grigg*, while accepting the amendment, felt that the amendment would leave loopholes for evasion and said that he would reserve the right to remedy the loopholes that might be discovered in the clause with the proposed amendment.

An interesting situation developed in the afternoon, in which the mover and supporters remained neutral on their own amendment and allowed it to suffer a heavy defeat. *Mr. Sriprakash* (Congress) moved an amendment the effect of which would be to impose an obligation on banks and money-lenders to furnish returns

yearly to the income-tax authorities of all clients who received interest up to Rs. 200 a year instead of Rs. 1,000 as at present. Mr. Sriprakasa characterised the new requirement as an inquisitorial one and said that if the authorities suspected fraud and wanted to avoid it, it was up to them to do the work themselves instead of burdening the banks and moneylenders with it.

Sir James Grigg said the provision was intended to avoid badgering of individual assessee. Nor was the work involved very great or of a high order. The clerks, who would prepare the lists were not going to be paid large salaries. Sir James said, he realised however there was a great deal of feeling about this question and Government would, therefore, content themselves with a limit of Rs. 400 instead of Rs. 300.

Swami Venkatachalam Chetty made a spirited reply to Sir James and said what Sir Homi Mody had suggested was that in order to furnish the yearly list that the Bill wanted one bank alone with which he was connected would have to go through 70,000 entries in order to find out which of the customers were paid an interest of Rs. 200. Surely, the Finance Member did not mean to say that bank could not have 70,000 customers (cheers). Was there a provision parallel to this in any other country in the world? he asked. Was it the intention to treat Indians as a species of criminal tribes? Why should this rule be made in India alone?

Mr. M. S. Aney developed this point further and asked whether the department could furnish figures to the house showing what revenue had been obtained by the department with the help of the present rule which would otherwise have gone unpaid. Without these figures the House could never arrive at a correct estimate of the justification for the change now sought to be made.

Mr. Sri Prakasa at this stage asked leave to withdraw his amendment. Leave was refused and the amendment was put to vote and rejected by 41 votes to 10. The Congress party including the mover and the European group remained neutral, while the Congress Nationalists voted for the amendment and a few members of the Muslim League Party divided their votes between the two sides.

The House, thereafter, agreed to clause 21 with the amount fixed at Rs. 400 instead of Rs. 200 fixed in the original Bill.

Clause 22 was next passed and the House took up consideration of clause 23 dealing with compulsory returns made by assessee after a general notice has been issued by the income-tax officer.

Mr. Lalchand Navalral moved for the deletion of the provision for compulsory returns. He asserted that this would cause very great inconvenience and hardship to the assessee, while the income-tax officers would be relieved of their responsibility which they have been discharging so far. People in India, he pointed out, were not so educated as in England. The concession made by the Select Committee, he felt, was not enough. It would not do to merely provide for the exemption for penalties of those who have incomes up to Rs. 3,500 per annum only.

Consideration of clause 23 was not over when the President adjourned the House.

#### AGREEMENT ON CHANGES IN BILL

Embodying the agreement referred to by the Finance Member in the Assembly between the Congress Party, the Muslim League Party and the Government, six amendments have been tabled by Mr. J. F. Sheehy and Mr. S. P. Chambers to Clauses 4, 5 and 49 of the Income-Tax Bill.

The first amendment seeks to amend the proviso to Clause 4 (A) in the following manner:

"Provided further that in the case of a person not ordinarily resident in British India, income, profits and gains which accrue or arise to him without British India shall not be so included (in assessment) unless they are derived from a business controlled in or a profession or vocation set up in British India or unless they are brought into or received in British India by him during such year."

The second amendment proposes to add the following proviso to the same Clause: "Provided further that if any year the amount of income accruing or arising without British India exceeds the amount brought into British India in that year there shall not be included in the assessment of the income of that year so much of such excess as does not exceed Rs. 4,500."

The following amendment is to Clause 5 of the Bill:

"A Company is resident in British India in any year, (A) if the control and management of its affairs is suitable wholly in British India in that year, or (B) if its income arising in British India in that year exceeds its income arising without British India in that year."

In the same Clause, the following further amendment is to be made:

"For the purposes of this Act, (A) an individual is 'not ordinarily resident' in British India in any year if he has not been resident in British India in any years preceding that year or if he has not during the seven years proceeding that year been in British India for a period of or for periods amounting in all to more than two years; (B) a Hindu undivided family is deemed to be ordinarily resident in British India, if its manager is ordinarily resident in British India; (C) a company, firm or other association of persons is ordinarily resident in British India if it is resident in British India".

Clause 49 is sought to be amended of the following proviso;

"Provided further that where an assessee has been assessed in respect of income arising outside British India in a country the laws of which prohibit or restrict the remittance of money to British India, the Income-Tax Officer shall not treat the assessee as in default in respect of that part of the tax which is due in respect of that amount of his income which, by reason of such prohibition or restriction, cannot be brought into British India, and shall continue to treat the assessee as not in default in respect of such part of the tax until the prohibition or restriction is removed.

"Explanation: For the purpose of this section income shall be deemed to have been brought into British India if it has been utilised or could have been utilised for the purposes of any expenditure actually incurred by the assessee without British India or if the income, whether capitalised or not, has been brought into British India in any form."

The following new section numbered Clause 49 (D) is added:

"When income-tax is payable in respect of any income arising without British India in a country the laws of which do not provide for any relief in respect of income-tax charged in British India, the amount of tax shall be reduced by one-half or by an amount equal to one-half of the income-tax payable in that country in respect of that income, whichever is the less."

**6th. DECEMBER:—**The power given to income-tax officers to exempt certain assesses from submitting returns of income under Section 22 of the Act and to presume that certain returns made are "incorrect and incomplete" was strongly criticised in the course of discussion on Clause 24. *Mr. Lalchand Navarai* and *Pandit K. K. Malaviya* moved amendments for the deletion of the words giving this power to the income-tax officers.

*Mr. Chambers* admitted that the language of the clause was liable to be misinterpreted. He undertook to make suitable amendments in the Upper House in the light of the criticisms made here. The amendment were thereafter withdrawn.

What constituted a separation of a joint Hindu family and whether the Income-Tax Officer should have the discretion to decide whether separation had taken place were questions which led to a lively discussion during the debate on Clause 30.

*Mr. Bajoria* moved an amendment by which he sought to remove what he considered to be the harassment that was caused to members of joint Hindu families under Section 25 (A) of the Income-Tax Act, according to which the Income-Tax Officers was empowered to satisfy himself as to the fact that a partition had been affected. *Mr. Bajoria* wanted the deletion of the portion by which the Income-Tax Officer should satisfy himself that "a separation of the members of the family has taken place". He pointed out that this led to Income-Tax Officers demanding proof of partition by metes and bounds, thus demanding the impossible, especially when such partition by metes and bounds could not be affected.

The hon. *Sir N. N. Sircar*, intervening, referred to the law as it stood which would be satisfied with an unequivocal declaration of the intention to separate. But in practice this declaration was not acted upon and the other "symptoms" of the joint Hindu family, such a common worship and the common kitchen remained unaffected. It was therefore necessary that the Income-Tax Officer should satisfy himself that real separation had taken place.

*Mr. Bhulabhai Desai*, in vigorously supporting the amendment, said he was amazed at the Law member's contention. What he asked was meant by separation in respect of property, which it was physically impossible to separate as, for instance, a share certificate in a mill? Was it contended that a piece of paper should be cut up into parts in order to prove that separation had taken place?

The amendment was passed without a division and the House adjourned.

**7th. DECEMBER :—**The penalty that income-tax authorities are empowered under section 28 of the Act to impose if any person failed to furnish an accurate return of his income was to-day reduced by the Assembly. The Bill provided for a penalty not exceeding twice the amount of income-tax or super-tax due. *Swami Venkatachalam Chetty* proposed that it should be equal to the amount due. Sir James Grigg suggested one and half times the amount and the House accepted it.

On Mr. *Lalchand Navalrai's* motion the House agreed to the addition of a proviso that the Income-tax Officer shall not impose any penalty under this section (28) without the previous approval of the inspecting assistant commissioner.

Mr. *Sri Prakasa* moved an amendment suggesting the provision of a time limit of 30 days, within which the sum of income-tax and penalty demanded by the authorities shall be payable. He pointed out that the absence of a time limit would result in assesseees being called upon to pay at 3 days' notice or even one day's notice as had happened in this case. A time limit, he contended, was all the more necessary, because the system of payment of income-tax by instalments was not adopted in India as in America.

Sir James Grigg declared that what he objected to was generalising on the conduct of the whole class of public servants, because of specific cases of petty tyranny, which he admitted might exist. Such petty tyranny, he further admitted, might express itself in giving very short notice to the assesseees. Against this, however, exhortations had been addressed in a departmental circular in April last year impressing on income-tax officers and the staff to give assesseees sufficient time. He urged the mover to be content with this action taken by the department.

Mr. *Sripakasa* withdrew his amendment.

Clauses 34 to 45 were passed rapidly by the House. During the discussion on clause 41 the House rejected, by 42 votes to 8, Mr. *Lalchand Navalrai's* amendment which sought to give notice to the assessee when the officer, appellate assistant commissioner or commissioner desired to record evidence of witnesses against the said assessee. Mr. *Aney*, supporting the amendment, pointed out the desirability of allowing these enquiries to be like ordinary police investigation.

The House next accepted by 64 votes to 45 *Swami Venkatachalam Chetty's* amendment to delete the provision by which the Income-tax Officer was entitled to visit premises of assesseees for the purpose of making enquiries.

Clause 69 had been disposed of when the Assembly rose for the day.

**8th. DECEMBER :—**The Assembly continued the debate on Clause 4 of the Income-Tax Bill to day. Mr. *M. S. Aney* moved an amendment to provide that tax shall only be levied on sums brought into, or received by the assessee in British India.

Mr. *Bhulabhai Desai* made a detailed exposition of the considerations which weighed with him and with Mr. Jinnah in accepting the agreement on Clause 4 and the other important clauses. He drew Mr. Aney's attention in particular to the observation that he (the speaker) had made in his speech on the first reading of the Bill. He had then made it clear that his mind was open on Clause 4 and had stated alternative grounds, either of opposition to, or a modification of the clause. Modification was then within his contemplation though he had not any prophetic vision of the dramatic offer which was later made by the Finance Member. The clause, he emphasised, did not raise any question of ethics or of right and wrong but one of fiscal policy, which depended on a weighing of pros and cons and gains and losses.

Mr. Desai dwelt on some of the gains in the agreed amendments and referred to the abolition of all distinction between domiciled and non-domiciled residents both individuals and companies. A large number of Europeans lived practically all their life in the country, and made their fortune in this country but claimed that their domicile was elsewhere and, thus, owed no obligations by way of taxation in this country. That was now removed and any one living in India for more than two years out of seven was to be taxed in the same way as a domiciled resident. Similarly, large foreign companies, which operated in India but were registered and controlled outside, used to escape taxation. Now it had been agreed that, whether controlled from outside or not, any company which made the bulk of its fortune in India, that is 51 per cent of it, then that 51 per cent of it would be taxed.

As regards the taxing of foreign income, a distinction must be remembered between income from trade and income from investment. From all quarters, Mr.

Desai said, he had been informed that taxing of investment abroad was a proper measure in the interest of India. It would prevent the flight of capital, which was sorely needed in this country. Income from trade must again be divided into income from ordinary small trade and income from very large businesses. The small trader who needed protection had been protected by the exemption granted to incomes upto Rs. 4,500. As for agricultural income from Burma, the House must remember the distinction between income from land acquired as a part of money-lending business and income from land inherited as ancestral property. Mr. Desai contended that every consideration and attention had been paid to every class of interest which was legitimately entitled to fight for exemption. Referring to emigrant Indians, Mr. Desai fully associated himself with the condemnation of the Government for their failure to protect them; but that was a different proposition. Under the Bill now, any Indian trader, who was not resident at all in India, would not come within its scope, but if he came into India for a period which worked out at about three months in the year, then he became a resident.

Explaining the reasons which actuated him to support the agreement that had been arrived at, Mr. M. A. Jinnah declared that as far as the change over to the accrual basis was concerned, there was no question of principle except perhaps as to the method followed. The remittance basis had been tried for many years and many loopholes had been discovered in it. There were people who did not pay any income-tax at all. He explained that a man could instruct his banker in the United Kingdom to invest fifty or seventy-five lakhs there and go free of income-tax on that amount. Continuing, Mr. Jinnah said that he emphatically would not have supported the clause as it originally stood even though certain advantages were offered, because of the distinction that was created between domicile and non-domicile, and the enormous hardships that would accrue to Indian nationals trading abroad. But he pointed out that the offer that was made by the Finance Member and the successful results of the conference that followed, had altered the situation. No party, he declared, could get sixteen annas from a compromise. Proceeding, Mr. Jinnah said he was of the opinion that it was not reasonable to argue that lakhs and lakhs of Indians abroad would be affected adversely. Who were the traders abroad, he asked, who would be thus affected? He reminded the House that the modifications effected roped in only the millionaires. Why should not such men, he asked, contribute to the Indian revenues? Whether the knife falls on the melon or the melon falls on the knife, he said, it would be the melon which would be cut. Therefore, it was necessary to see that the melon was cut where it was most juicy. Mr. Jinnah explained the improvement that had been made by the agreement and declared that it was not merely a gain on principle: there were substantial gains.

Mr. A. Aikman, Leader of the European Group, regretted that he could not support the amendment before the House. Quoting Mr. Bhulabhai Desai he said that there was no question of ethics involved in the question as to whether or not the accrual basis should be accepted. Mr. Desai had also shown that really no hard and fast line could be drawn between the accrual basis on the one hand and the remittance basis on the other. These phrases had come to be attached to certain bases of taxation but by themselves they really had no distinct meaning. As Mr. Desai had explained, the exact meaning in either case inevitably depended on the nature of the arrangement made. In other words, whatever basis was adopted, might be modified in its incidence, or the reverse, by the exact scheme of the income-tax law of the country that levied taxes on income. "Whatever our views on the original proposal—and none of us approach the problem from quite the same angle, as Mr. Bhulabhai Desai has said—on the proposal now before us, a very large measure of agreement had been reached. The Leader of the Congress Nationalist Party does not agree with it, but has stated his case in a manner that everyone, even among his opponents, will respect. But I will suggest to him that he has achieved his object. He has given the House an opportunity to hear the Leaders of the two largest Parties explain their case and how the compromise was arrived at."

Mr. Aney's amendment was lost by 84 votes to 12.

The House next rejected without a division Sir Cowasji Jehangir's amendment which sought to exempt from the operation of the Bill those incomes which were the result of activities for the period from 1933 to the date on which the Bill

came into force. Sir Cowasji pointed out that this would give foreign traders and investors a chance to adjust their position.

Mr. Aney's amendment, by which agricultural income accruing or arising in British Burma and Indian States would not be included in the income or profits or gains for a period of five years from the date on which the Bill would come into force, was also rejected without a division.

Before rising for the day, the Assembly accepted the agreed amendment to Clause 4 by which the proviso would now read: "Provided further that in the case of a person not ordinarily resident in British India, income, profits and gains which accrue or arise to him without British India shall not be so included unless they are derived from a business controlled in, or a profession or vocation set up in, India or unless they are brought into or received in British India by him during such a year." The Assembly then adjourned.

**9th. DECEMBER:**—The Assembly passed to-day the second of the agreed amendments to the Income-Tax Bill, providing "that if in any year the amount of income accruing or arising without British India exceeds the amount brought into British India in that year, there shall not be included in the assessment of the income of that year so much of such excess as does not exceed Rs. 4,500."

An attempt was made by *Sardar Sant Singh* to raise the limit from Rs. 4,500 to either Rs. 10,000 or Rs. 7,500 but his amendment was rejected without a division.

Clause 4 of the Bill was then passed amidst cheers.

During consideration of Clause 5, the House accepted two more of the agreed amendments, both moved by Mr. Chambers. By the first a company's residence in British India was defined as follows: "A company is resident in British India in any year (a) if the control and management of its affairs is situated wholly in British India in that year exceeds its income arising without British India in that year."

The second amendment provided that "for the purposes of this Act (a) an individual is 'not ordinarily resident' in British India in nine out of the ten years preceding that year, or if he has not during the seven years preceding that year been in British India for a period of, or for periods amounting in all to, more than two years; (b) a Hindu undivided family is deemed to be ordinarily resident in British India if its manager is ordinarily resident in British India; and (c) a company, firm or other association of persons is ordinarily resident in British India."

The debate on the amendment resolved itself into a series of questions and answers between the Finance Member and other members, by which an effort was made to elucidate the conditions under which an individual became "ordinarily resident" in India. "The accumulation of negatives" in the clause, as the Finance Minister described it, had the effect of tying many of the members into knots, leading to many differing interpretations.

The House then accepted the last two of the agreed amendments. The first provided: "That where an assessee has been assessed in respect of income arising outside British India in a country, the laws of which prohibit or restrict the remittance of money to British India, the Income-Tax Officer shall not treat the assessee as in default in respect of that amount of his income which, by reason of such prohibition or restriction cannot be brought into British India, and shall continue to treat the assessee as not in default in respect of such part of the tax until the prohibition or restriction is removed."

Explanation: For the purposes of this section, income shall be deemed to have been brought into British India if it has been utilised or could have been utilised for the purposes of any expenditure actually incurred by the assessee without British India or if the income, whether capitalised or not, has been brought into British India in any form."

Mr. M. S. Aney moved an amendment to provide that when the prohibition or restriction was removed, the Income-tax officer might in his discretion order that the amount assessed during the period of prohibition restriction might be paid in instalments. This, he said, was to avoid any hardship that might be caused to the assessee in being called upon to pay the accumulated income-tax in a lump.

Sir James Grigg gave the assurance that instructions would be issued to Income-tax Officers not only to order payment in instalments, where necessary in these cases, but also to allow for any exchange depreciations during the years of prohibition or restriction. Mr. Aney withdrew his amendment.

The other amendment proposed the addition of the following new clause as 49-D : "When income-tax has been paid by deduction or otherwise in respect of any income arising without British India, in a country the laws of which do not provide for any relief in respect of any income-tax charged in British India, the amount of the tax shall be reduced by one-half or by an amount equal to one-half of the income-tax paid in that country in respect of that income, whichever is the less".

On Mr. Chambers' motion, the Assembly passed a lengthy new clause, applying to superannuation funds, the provisions relating to provident funds. The House then adjourned.

**10th. DECEMBER ;**—Orthodox advocates of the joint Hindu family system put up a strenuous fight to-day for a special form of taxation for such families, but failed to carry their point. Mr. Bajoria moved that in the case of a Hindu undivided family, the tax payable on the total income shall be computed as the aggregate of the taxes payable by its individual adult male members as if such members had separated and had been taxed accordingly. Mr. Bajoria pointed out that if the joint Hindu family separated, the tax would be computed on each individual share instead of on the total family property. The Act was thus bringing pressure on joint Hindu families to separate in order to get the benefit of such individual assessment. Why, he asked, should a fiscal enactment seek to disrupt an age-old system with all its advantages? There was no difficulty, he asserted, in ascertaining, at a given point of time, the share that each member of a joint Hindu family had of the family property.

Sir N. N. Sircar explained the result of the amendment. He assumed a family with a property of Rs. 40,000 and four brothers, one adult and the other three minors. Under the amendment, which left the three shares of the minors to go free, only Rs. 10,000 would be taxed. Sir N. N. Sircar proceeded to quote an authority on joint Hindu family property, according to which the share of members of such family was always a variable and fluctuating figure, which diminished or increased with a birth or death in the family. Under Mitakshara law, an infant as soon as it was born, acquired a right in the property of the family. He had heard it from those competent to speak that the amount of income-tax derived from joint Hindu families was about Rs. 1 and a half crores, and the loss that the amendment might cause might be about Rs. 20 lakhs.

Mr. Aney wished that the Law Member had treated the question more seriously instead of speaking from a brief as he had done. It should be remembered that the joint Hindu family was controlled and held together more by sentiment than by the motive of profit or loss. It therefore deserved special treatment. He reiterated that, at a given point of time, any lawyer could accurately ascertain what would be the share of a member of a joint Hindu family. The share might be altered in future; but so could the divisible profits of a company; and the possibility of a future change in the condition of a company's profits had not been allowed to affect the assessment of that company's tax in a given year. As for the possible loss to which reference had been made, he asked the House to remember also that each earning member of a joint Hindu family would have his earnings added on to his share in the family property, resulting probably in a higher rate of tax and correspondingly greater revenue. What he urged was that the principle of the amendment should be accepted and the House could then agree on a suitably worded amendment if the present amendment was, as the Leader of the House had pointed out, defective.

Mr. S. K. Som said that he wanted to speak plainly and declared that certain compromise proposals entered into behind the back of members like him and changed the attitude of the Congress Party and the House was in difficulties in dealing with important sections.

Mr. Desai explained that the matter should be looked at solely and purely as one relating to property. Hindu law, he emphasised, distinguished essentially between joint family property. The joint family property was a special species of property, which gave a special credit, reputation and standing to the family, and it was therefore right that the whole family should bear the joint liability. He illustrated his statement by referring to the case of a joint Hindu family with five crores of rupees as property and engaged in banking business. The question of division of the property came up and he advised against it, but the division nevertheless did take place, and, soon after, the business collapsed, because the joint

credit enjoyed by the family had been shaken after the separation. He was Hindu enough to understand the Hindu joint family. But what the amendment would do was to provide that in the case of a family in which there was no adult male member, no tax could be levied. As for the suggestion that the principle should be accepted and verbal alterations made thereafter, Mr. Desai declared that the amendment was impossible of reasonable alteration. The amendment was lost without a division.

In the course of discussion on Clause two, the House accepted Mr. *Manu Subedar's* amendment to the definition of "dividend", so as to exclude from taxation capital profits. Mr. Subedar pointed out that the law that was being enacted was intended to tax income and not capital in any form or at any time.

At ten minutes to five, the House concluded discussion on clauses, and Mr. *Sheehy*, in the absence of the Finance Minister, moved without a speech that the Bill as amended be passed.

Supporting the motion, Mr. *Bhulabhai Desai* referred to the suggestions that in spite of the improvements in it they could have strangled the Bill now and waited for a future date for a better Bill, and said that to him this did not commend itself as a wise step. Under the present circumstances, the Bill, as it stood, he asserted, was certainly better both from the point of view of the tax-gatherer and from the point of view of the assessee. There were features of great value in the Bill. The honest assessee would get a fairer and squarer deal. It appeared to him that the improvement as regards the Tribunal and appeal was undoubtedly one of which they could feel satisfied. Other features, he said, included the new basis of taxation of life insurance companies and others in which the gains were financial.

The failure on the part of those who differed from the majority on certain aspects, he continued, was not the result of any unjust action on the part of the majority. He believed, now that the Bill had been passed, that both those who supported it as well as those who opposed it, would obey it in a spirit of integrity. Those who had so far escaped from the scope of the Act, he hoped, would contribute their portion cheerfully. He admitted that while it was perfectly honourable and perfectly necessary that a point of view should be pressed in public life, the approach to any issue should not be as if nothing else mattered.

Referring to the part of the Finance Member and his two colleagues in respect of this Bill, he declared that they had placed unstintingly at the disposal of the select committee and the House all their knowledge. He paid a tribute to their contribution towards the agreement on Clause 4 and he hoped that on the question of Section 49, which provided for double taxation relief, some day in the near future they would be able to negotiate on a more satisfactory basis.

Mr. *Bhulabhai Desai* appreciated the co-operation of the European Group with other sections of the House over Clause 4. He pointed out that the strength of any trader in this country would lie in the understanding and goodwill of the representatives of the people of India rather than in statutory "Safeguards". In spite of "Safeguards" trade in a land was only possible if the people of that land bought from the trader. In this connection he drew their attention to the late Mr. Ramsay MacDonald's reply to a deputation from Lancashire to whom he said: "We can do everything for you, but we cannot go to the extent of billeting a soldier on every Indian for selling your cloth". Concluding, he reciprocated the compliments paid to him by the Finance Member and said that he had only done his duty as an ordinary humble citizen of the country in helping to place on as good a footing as possible the law relating to income-tax. The House then adjourned till the 12th.

**12th. DECEMBER :—**The third reading of the Income Tax Amendment Bill was passed without division in the Assembly this afternoon. *Sardar Sant Singh* (Congress Nationalist) and Mr. *Hussainbhoy Laljee* were the two members who urged for the Bill being thrown out on the third reading. *Sir Nripendra Nath Sircar* replied to the debate in the absence of Sir James Gigg.

*Sardar Sant Singh* opened with a slashing attack on the Congress Party for being more royalist than the King in its support of the Income-Tax Bill. Mr. *Bhulabhai Desai's* speech on Saturday struck him as being a short Sermon on the Mount and he felt that the Congress Party had so far descended along the slippery

slope of co-operation as to ignore Sir James Grigg's taunt about the bonafides of the House being put to the test and Mr. Deasi could even speak of loyal subjects.

Mr. K. Santanam, regarding the measure as being on balance a good one, struck a critical note throughout his speech. Section 49, he particularly deplored, with the opinion of the Provincial Governments ranged against it, while Section 17 smacked of imperial preference in taxation. He questioned the wisdom of introducing the Slab System without specifying, through an amendment of the Act, the particular rate. He reminded the Finance Member about bringing pension under the scope of the measure and the injustice done to Indians in Burma.

Mr. Anantasayanam launched an even more vigorous attack on the objectionable features of the Bill. Section 49 should not have been there and under the Government of India Act, Sir James Grigg should have consulted the Provincial Governments and obtained their concurrence. But that, he felt, was not the only example of discrimination. Pensions of British officials, interest on sterling securities and distinctions between British and non-British non-residents seemed a further evidence and the utmost he could say about the measure was that it was the best of a bad bargain forced by Sir James Grigg under threat of withdrawal of the measure.

Mr. Satyamurti, winding up the debate on behalf of the Congress Party, defended its attitude on the ground that it believed in taxation of the rich for the benefit of the poor but he, too, felt uncomfortable about pensions, agricultural interests in Burma and Section 49. Sir James Grigg, he thought, deserved commendation for bringing leave salaries under the Bill, and to the European Group he paid a tribute for their spirit of accommodation. Mr. Chambers, whose appointment he had protested against in the Simla session last year, had almost justified his importation, he thought, provided he would train an Indian to succeed him.

Sir N. N. Sircar, in the absence of Sir James Grigg, breezily concluded the debate with the consoling thought that the only way to dodge the new measure was not to have any income at all, while Mr. Sheehy and Mr. Chambers could not expect higher tribute than that they had enabled Sir Ziauddin Ahmed to understand the intricacies of the measure.

#### THE WHEAT BILL

The Assembly was then adjourned *sine die* after the passing of the Wheat Bill imposing an import duty of one rupee eight annas per hundred weight on wheat and wheat flour.

#### HINDU WOMEN'S DIVORCE BILL

Dr. Deshmukh's motion for circulation of Hindu Women's Divorce Bill also was passed.

Bhai Paramanand attempted an adjournment of the House to discuss "the arrest and rough handling by Muslim women police of certain Hindu ladies while going to perform puja yesterday at the Shiva Temple in Delhi". Bhai Paramanand said that the right to perform puja at the site had not been prohibited and therefore the interference with the exercise of that right had caused a sensation in the city.

The President ruled the motion out of order and adjourned the House *sine die*.

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# The Bengal Legislative Assembly

Autumn Session—Calcutta—29th. July to 25th. August 1938

The Autumn Session of the Bengal Legislative Assembly commenced in Calcutta on the 29th. July 1938. The opening day was rather quiet, there being no opportunity for a trial of strength but the Opposition whips were in rather jubilant mood as things, they gave out, were moving according to their plans.

There was considerable reshuffling in sitting arrangements. A number of members who used to sit on the right of the Speaker in the Coalition benches crossed to the other side and took their seats among the Opposition members. Notable among them were the followers of Mr. *Tamijuddin Khan* and Mr. *Nausher Ali*. The Independent Scheduled Caste group, who under the leadership of Mr. *Hem Chandra Naskar* have severed their connections with the Coalition group also moved to the left and took their seats in a block assigned to them.

An innovation was introduced in marking off portions of different blocks by red tapes. It was only, it was said, a tentative arrangement and as respective strength of different parties and groups would be known more definitely, separate blocks would be assigned to different groups doing away with the necessity for such flimsy barrier as a tapo.

## ADJOURNMENT MOTIONS

Two adjournment motions, one moved on behalf of the Congress Party by Mr. *Surendra Nath Biswas* to discuss the alleged omission of the Government to devise ways and means to enable the jute growers to obtain an economic price for jute and another moved on behalf of the Krishak-Proja Party by *Syed Jalaluddin Hashemi*, to discuss the alleged indifference and apathy of the Government in the matter of affording relief to the people affected by the recent floods in Bengal, were disallowed by the Speaker. The Government opposed both the adjournment motions, explaining that the House would have an opportunity of discussing these matters in the course of a few days, when considering the Supplementary Budget Estimates of the Government.

## SUPPLEMENTARY ESTIMATES

The hon. Mr. *Nalini Ranjan Sarkar*, Finance Minister, presented the Supplementary Budget Estimates for the year 1938-39, amounting to about Rs. 49 lakhs. Of this sum, one lakh of rupees is required for the remainder of the current year to constitute a separate Publicity Department, to be placed in charge of a Director of Public Information, with three Assistant Directors. One lakh will be required for the Rural Reconstruction Scheme, five lakhs for the spread of education among the Scheduled Castes, Rs. 35,000 for an emergent grant to the Victoria Institution, Rs. 50,000 to tackle the Water Hyacinth pest (in connection with which it was decided to organise a Water Hyacinth Week during the coming winter), Rs. 50,000 for the purchase of a land for a college for Muslim girls in Calcutta, Rs. 10 lakhs for the initial contribution to the Bengal Famine Insurance Fund and Rs. 30 lakhs for loans and advances to the cultivators affected by the recent floods.

## REPEALING AND AMENDING BILL

The House passed without any division the Bengal Repealing and Amending Bill introduced by the hon. *Nawab Musharuff Hossain*.

## TENANCY BILL RETURNED BY GOVERNOR

The *Speaker* next read a message from H. E. the Governor of Bengal, returning to the two Houses of the Legislature the Bengal Tenancy Amendment Bill which had been passed by both the Houses in the last session, and recommending an amendment of the Bill in respect of the commencement clause of the Bill and also as regards the provision regarding suspension of the enhancement of rent for a period of ten years. The House then adjourned till the 2nd. August.

## NO-CONFIDENCE MOTIONS

**2nd. AUGUST :—**The Assembly granted leave to-day to the movers of all the ten separate "no confidence" motions against the individual Ministers of the Cabinet. The *Speaker* fixed 4 p. m. on Monday next for taking them up one after another. In fixing the day the *Speaker* said that in view of the gravity of the issues involved and remembering that it was the first occasion when "no-confidence" motions had been brought before the House since the inauguration of Provincial Autonomy in Bengal, discussion by all sections of the House should not be stifled even to the least extent for want of time. The Opposition groups stood en bloc for all the motions, as many as 110 members rising for the motion.

## TENANCY BILL AMENDMENTS PASSED

**3rd. AUGUST :—**The Assembly passed this afternoon without any opposition the two amendments to the Bengal Tenancy Amendment Bill suggested in the Bengal Governor's message to the Legislature. These amendments related to the commencement clause and the provisions regarding suspension of enhancement of rent.

## CO-OPERATIVE SOCIETIES BILL

On the motion of the hon. Mr. *M. B. Mullick*, Co-operative Credit Minister, the Assembly referred to a Select Committee the Bengal Co-operative Societies Bill 1938. A motion moved by the Opposition seeking to circulate the Bill for eliciting public opinion was negatived without a division. The House then adjourned till the 5th.

**5th. AUGUST :—**The proceedings were dull and unexciting to-day but the question hour somewhat lively. Several members asked questions in Bengali and one of the Ministers replied in Bengali adding to the humour of the situation.

The House, after interpellations, was almost deserted and the members were found in the lobbies discussing the possible result of the fateful day when there would be stock-taking of the Huq Cabinet.

## THE MONEY-LENDERS' BILL

The Assembly referred to a Select Committee the Bengal Money-Lenders' Bill, 1938, which sought to regulate money-lending business in the province. The Select Committee was instructed to submit its report by August 15. An amendment by Mr. *D. P. Khaitan* for circulating the Bill for eliciting public opinion thereon was negatived without any division. The House then adjourned till the 8th.

## NO-CONFIDENCE MOTIONS ON MINISTERS

**8th. AUGUST :—**The House met to-day in an atmosphere of wild excitement in and outside the House. The public galleries were overcrowded and there was a very large attendance, the members being present almost in their full strength. Mr. *Dhananjoy Roy* (Independent Scheduled Caste) moved that the House had no confidence in the hon. the *Maharaja Srish Chandra Nandy* of Cossimbazar, Minister for Communications. The speeches were limited to two, namely, by the mover himself and the Minister concerned. The motion was defeated by 130 votes to 111.

An analysis of the voting on the first "no confidence" motion showed that of the 111 members, who voted in support of the motion, 53 belonged to the Congress Party (its full strength) 18 to the Krishak Proja Party, 15 to the Independent Scheduled Caste Party, 14 to the Independent Proja Party (led by Maulvi Tamizuddin Khan and Syed Nausher Ali, ex-Minister), 5 to the Nationalist Party, 2 were Indian Christians, 2 members of the Independent Labour Party, one Anglo-Indian and one representative of tea garden labour.

The 130 members who voted against the motion, included 82 members of the Coalition Party, 23 Europeans, nine Scheduled Caste members, the ten Ministers, four members of the Nationalist Party, and two Anglo-Indians.

Three members remained neutral. They were Maulvi Abdul Hakim (Krisak Proja Party), Mr. Kazem Ali Mirza and Mr. Mahomed Ibrahim of the Independent Proja Party. This made a total of 244 in a House of 250.

Following the announcement of the result of the first motion, the Premier, the hon. Mr. *A. K. Fazlul Huq* went out to the balcony on the north side of the building and acknowledged the greetings of the crowd outside, which now numbered about a lakh.

Moving the second motion against the hon. Mr. *H. S. Suhrawardy*, Labour Minister, Mr. *Aftab Ali* (Labour) remarked that during the sixteen months that Mr. Suhrawardy had been in office, he had created amongst Bengal labourers a spirit of unrest and discontent, and had created divisions in their ranks by starting rival organisations.

Supporting the motion Mr. *Santosh Kumar Basu* (Congress) severely criticised the general policy of the present Cabinet as a whole. In considering the question of the general policy of the present Cabinet, remarked Mr. Basu, the first thing that struck them was the utter failure of the Ministers to redeem the larger number of promises made by them from time to time on the floor of the House in order to keep them in position and power. He referred to what he characterised as the "utter failure, the utter inefficiency and the utter incapacity" which had overtaken the Cabinet to bring about any good whatsoever to the countryside of Bengal. Mr. Basu asked the Cabinet to ponder how long they would continue to be in office with the support of the European Group in the House and he asked the European Group to ponder whether they would perpetually take upon themselves the onus of deciding which form of Government there should be in this Province. He charged the Ministry with favouritism and nepotism of the worst type.

The attitude of the European Group towards the present Ministry, and specially in respect of the "no-confidence" motions against it, was explained by Sir *George Campbell*, Leader of the Group, Sir George Campbell claimed that his party had a definite stake in the country, and had a definite interest in its welfare. If they did not take their fullest part in the debate in the House, they would be shirking their duty. "We have no more association with the Government", declared Sir George, "than with any other Party in this House. Our interest is to see that there is good Government in this Province. We have a Ministry, which has been in office for the last sixteen months' consisting of five Hindus and five Mussalmans, and I venture to say that they have carried on the Government of this Province to the best of their ability". Proceeding, Sir George said that his criticism of the Ministry included a feeling that they were sometimes influenced by communal reasons, that they tended to rush the business of this House, that their reception of the recommendations of the Public services Commission was not always satisfactory and their departmental administration left much to be desired.

On the credit side, Sir George said, the Ministry had done well in handling Finance and the administration of Law and Order. But he expressed regret that they had perhaps failed to stop the demonstration which took place that very day. Sir George praised the restraint displayed by the Congress in deciding not to stage a counter-demonstration that day. Sir George ventured the opinion that his party might find it difficult to trust a new Ministry, which might include members who had severed their allegiance from the Party under whose wings they had entered the Assembly.

Sir George next dealt with his Party's views about the Congress and said that it would be disastrous if the door was ever irrevocably shut so as to deprive the great Hindu Party from sharing in the Government of the Province. He pointed out that when the new Constitution came into being on April 1, 1937, the Congress was not in a position to join in a Coalition Government and this led him and his Party to consider the possible danger of a Congress Government in this Province being dictated to by a central Congress Committee. He wanted the House to witness such examples as they found in this contemporary history of other Provinces in India. Sir George also commented upon what seemed to him a confusion in the mind of the Congress, a confusion of British trading interests with the British Government. British trading interests in the past had at times their own difficulties with the British Government and they were now no part of that Government. It had been the object of the Congress, added the speaker, to obtain concession from the British Government. Could they gain the trust of the British community by similar methods? Sir George made it clear that, as it had been the declared policy of the European Party to support the Ministry so long as it acted on constitutional lines, they could not possibly commit the inconsistency of not supporting the Coalition Government at this critical juncture.

#### ALLOED PURCHASE OF VOTES

Before the discussion of the 'No-Confidence' motion against Mr. *H. S. Suhrawardy* had concluded, the Assembly sitting was abruptly adjourned by the hon. the Speaker till to-morrow owing to the great confusion and uproar which prevailed in the

House, as a sequel to the allegation made by a member of the Coalition Party that the Opposition Groups had resorted to purchasing the votes of some of the supporters of the Government with a fairly big amount of money.

This allegation was stoutly repudiated by the Leaders of the different Groups constituting the Opposition, who demanded that the member concerned must disclose further details in this connection and substantiate his allegation. The Speaker at this stage intervened saying that he would hold an enquiry to-morrow morning before the sitting of the Assembly in the afternoon, and would not permit any discussion at this stage.

**9th. AUGUST :—**The debate on the no confidence motion was delayed a considerable time to-day because the *Speaker* and other members were busy with the sitting of the Privilege Committee which considered the allegation made by Mr. *Abdur Rahman Siddiqui* on the previous day.

The allegation namely that currency notes to the tune of about Rs. 3,400 had passed in half notes to a member of the Ministerialist party with an accompanying note from a 'star' member of the Opposition to the effect that in the event of his voting with the Opposition on the no-confidence motions he would be giving the other half-notes plus an additional sum of Rs. 1,600. This caused a good deal of sensation and after a number of points of order had been raised and the House had adjourned twice, the episode ended happily. Mr. *Abdur Rahman Siddiqui* tendered an unqualified apology in regard to one of the charges. The matter still rested in the Privileges Committee.

#### NO-CONFIDENCE ON LABOUR MINISTER

The House then took up the no-confidence motion against Mr. *Suhrawardy*. Mr. *Sarat Chandra Bose*, Leader of the Opposition asked the Speaker to give full opportunity for debate on the present motion for on the other nine motions the Opposition would not have any debate and most probably the motions would be withdrawn. In consultation with the Leader of the House it was decided that the debate should be concluded by to-morrow.

**10th. AUGUST :—**After three hours' heated debate the motion of no-confidence was rejected by the House without a division. The House similarly rejected the next "no confidence" motion moved by Mr. *P. R. Thakur* (Scheduled Castes) against Mr. *M. B. Mullick*, Minister for Co-operation. The seven other motions of "no confidence" against the other Ministers were not moved. The House then adjourned till Monday next.

Supporting the "no-confidence" motion against the Labour Minister, Mr. *S. P. Mukherji* (Independent) commented generally on the policy and programme of the present Government of Bengal. He said : "The debate which we have had during the last few days has given us several lessons. But I think that the most outstanding

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\*In marked contrast with the situation yesterday, all was quiet to-day, and public interest in the Assembly dwindled following the Government's victory last night. Nevertheless, excitement still prevailed in parliamentary circles, and while about forty members of the Opposition spent the night yesterday in an undisturbed atmosphere in the Assembly building, hostile demonstrations were reported to have been staged in front of the houses of Bengal M. L. A's including that of Mr. *J. C. Gupta*, Congress Chief Whip, till late at night. There was, however, no serious trouble anywhere, calling for police intervention.

Reports of the "no-confidence" debate eclipsed all other news in local newspapers all of which laid special stress on the fact that the Europeans were the deciding factors in yesterday's fight, one paper using the headline "Completely at the mercy of Europeans", and another "Victory secured with non-Indian support". Leaving aside the European votes numbering 22, the respective strengths were: Ministerial Party 107, Opposition 111.

Although elaborate police arrangements had been made in the City, including the surroundings of the Assembly building, less than a hundred people were present in the Maidan or in front of the Assembly at 2-30 p. m. and no hartal was observed.

It is recalled that in the leaflets which had been broadcast by the Khilafat Committee and the Provincial Muslim League during the last two days, the public were invited to observe a hartal and demonstration on August 8 and 9.

lesson is the fact that, whatever they may say on behalf of the supporters of the present Ministry the Ministers do not enjoy the confidence of the majority of elected Indian members of the House. That is a fact—and not a conjecture—which cannot be challenged by any body, either inside or outside this House. It is indeed an irony of fate that the Chief Minister—a great dreamer of dreams, of lions and tigers of Thaneswar and Panipat, of Siraj-ud-Dowla had at last, when the crucial moment came, to depend on the support not of the direct descendants of Clive, but of the more policy of Clive Street. Be that as it may, I believe it is the right of every member to ask himself as to why the Government has lost the confidence of the people of this Province and the answer is that during the last sixteen months that they have been in office, the present Government in Bengal has had no constructive programme before it for the advancement of the national cause. I believe that is at the root of the weakness of the present Government. Who will deny that the Government started with a great advantage—the advantage of a solvent Finance Department? Who will deny to-day that while the previous Government was bankrupt in finance and could not do anything for want of funds, the present Government, which has plenty of funds at its disposal, has been bankrupt otherwise?

Mr. Mukherji referred to the assault on several members of the House recently, to the demonstrations that had been staged in front of the Assembly building in support of the Ministry, and to the circulation of several thousands of inflammatory leaflets and pamphlets all over the city and said that the Government of the day had "abdicated and the city of Calcutta was under the control of goondas and hooligans". During the last few days members of the Legislature were attacked by goondas and hooligans, and although police assistance was sought, it was not available readily. What was the Home Minister doing and was the Government doing anything to bring the hooligans and goondas to book? Turning to Sir George Campbell, Leader of the European Group, on whose support, Mr. Mukherji said, the Government had been depending for its existence, he remarked: "From Sir George Campbell and from anyone else, Bengal expects an answer—whether this sort of hooliganism should go on under the present Ministry in Bengal."

Mr. Sarat Chandra Bose, Leader of the Opposition, remarked that the criticism of the activities of the work of the Ministry during the past sixteen months could be summed up in three words, "want of policy." In the matter of communal interest, the activities of the Ministry could be summed up in three words: Raising communal passion." Mr. Bose explained that, in deciding to bring forward the "no-confidence" motions, the Opposition had decided that, if called upon, they would be prepared to accept the responsibility of office in order to give effect to a constructive programme in this Province. Mr. Bose detailed before the House the programme which the Opposition would seek to carry out if they were called upon to form a Ministry. He announced that the Opposition would select a Muslim member of the House as the Chief Minister and that the Ministers would not accept a salary of more than Rs. 500.

In setting forth the programme Mr. Bose said: (1) they would make a radical change in the antiquated land tenures and revenue system of the province; (2) abolish feudal dues and levies, forced labour and any demand other than rents would be made illegal; (3) effect substantial reduction in rent and revenue; (4) provide for assessment of income-tax on a progressive scale on the agricultural income subject to the prescribed minimum; (5) strive for fixity of tenure; (6) attempt to provide relief from the burden of rural debt and arrears of land revenue; (7) repeal all repressive laws; (8) release all political prisoners, internees and detainees; (9) restore land and property, confiscated or sold by the Government during the Civil Disobedience movement; (10) fix eight hour day for industrial workers without reduction of pay and also provide a living wage; (11) introduce prohibition of intoxicating liquor and drugs; (12) provide unemployment relief; (13) reduce high salaries, allowances and the cost of the administration; (14) level up communities which are at present educationally, economically and otherwise backward, providing educational facilities for them; (15) recruit candidates to the public services by competitive examinations, restrictive competition being allowed among members of the scheduled castes and the Muslim community; (16) arrears of rent to be recovered in the same manner as civil debts and not by ejectment; (17) introduce free and compulsory primary education without taxes on cultivators (18) raise up the prices of agricultural produce; (19) earmark a substantial part of the revenue obtained from income tax for the improvement of the moral and material

welfare of the agricultural population; (20) increase irrigational facilities in the Province (21) reform secondary and higher education and improve the educational technical and technological system of education in the Province; and (22) bring about communal peace and harmony in the country.

Dealing with the observations made in the course of the debate by Sir George Campbell, Leader of the European Group, Mr. Sarat Chandra Bose said that Sir George had stated it was difficult for his group to trust a new Ministry, which might include members who had severed their allegiance from the Party under whose wings they had entered the Assembly. Mr. Bose would like to tell Sir George Campbell that he had been misinformed about the exact position of the Krishak Proja Party as it obtained on the eve of the formation of the Ministry in April, 1937. The Krishak Proja Party commanded 43 seats in the Legislature and out of this 43, 24 still remained members of that Party, while 19 had severed their connection with the Party and joined the Coalition Party, who were the supporters of the present Ministry. In the circumstances, Mr. Bose would like to ask Sir George Campbell who it was, the Proja Party members in the Opposition or the Proja Party members in the Coalition, who had severed their connection with the Party under whose wings they had entered the Assembly? Joining issue with Sir George Campbell in his compliment to the Department of Law and Order, Mr. Bose pointed out that in July last year peaceful processionists carrying Congress flags had not been allowed to gather round the Assembly buildings except in batches of four or five and only on lowering their flags, whereas in the demonstrations staged in support of the present Ministry during the last few days processionists, armed with big lathis and carrying flags, had been allowed to gather round the same place without let or hindrance. Mr. Bose asked why a different policy was adopted in regard to the demonstrations arranged on the present occasion. He did not object to any demonstrations provided they were peaceful and the demonstrators were unarmed, but the processionists during the last few days, he said, were not unarmed. Mr. Bose, continuing, said that the cry of "Islam in danger" had been raised and even some responsible Ministers of the present Cabinet had given expression to that cry. If a Hindu were to raise a cry of "Hinduism in danger" because of a few appointments in public services having gone to Muslims, the speaker would hang down his head in shame. Equally, if the cry of "Islam in danger" was raised by a Muslim because a few appointments had gone to Hindus, Mr. Bose would hang down his head in shame. Mr. Bose read before the House an English rendering of some leaflets which had been broadcast throughout the City to organise the pro-Ministry demonstrations and to observe "hartal" in connection with the "no-confidence" motions. These leaflets, Mr. Bose pointed out, contained abominable lies against the Congress and the Congress Ministries in other provinces and appealed to the communal passion of the people. Mr. Bose asked the Chief Minister whether they had raised their little finger against these leaflets. Continuing, Mr. Bose stated that he could tell from his own personal experience, gathered in the course of his tour in the countryside of Bengal, that communal passion did not exist in the countryside. Whatever of it existed, existed among the so-called educated in the City of Calcutta.

The hon. Mr. *L. S. Suhrawardy*, Labour Minister, replying to the charges against the Ministry, remarked that the programme which had been read out by Mr. Bose before the House, as the one which the Opposition would seek to carry out if they were called upon to accept office, was exactly the same as the one the present Ministry was seeking to carry out, except in minor details. He emphasised that the labour policy of the present Ministry was the most successful in India. He had introduced a comprehensive scheme for the improvement of the lot of the labour population and claimed that the Ministry, in all its activities, was trying to deal out even-handed justice to all and to give the under-dog the rights and privileges that he had been denied so long.

Winding up the debate, the Prime Minister, the hon. Mr. *A. K. Fazlul Huq*, said: "My short reply to the charges of nepotism against the Ministry is this: that the whole catalogue is a catalogue of atrocious lies from the beginning to end. I say solemnly and with the full sense of responsibility that has devolved upon me as Chief Minister that I have not, during my term of office as Chief Minister or Education Minister, given any appointment to any near or distant relation of mine, in any posts anywhere in any Department of Government." Mr. Huq appealed to the Leader of the European Group to make an enquiry into the allegations. If it was found that there was the slightest suspicion of nepotism against him, he would tender his resignation and would ask the European Group to withhold its support from the Ministry.

Continuing, the Prime Minister said that not only had the present Ministry a programme which compared favourably with the programmes of Ministries in other provinces, but the Ministry had tried its level best to implement that programme. The Chief Minister pointed out that the Coalition Party's agreed programme had much in common with the programme of the Krishak Proja Party and the League Party. Mr. Huq pointed out that the Ministry had implemented this programme. The first item of the programme of the Coalition Party related to the appointment of an enquiry committee to enquire into the antiquated land laws of Bengal. The Ministry had appointed a commission to make a comprehensive enquiry into the matter. The second item in the programme of the Coalition Party was with reference to the amendment of the Tenancy Act. The Ministry, Mr. Huq said, had sponsored the Bengal Tenancy Bill which had been passed by both the House of the legislature, and was now before the Upper House for some minor amendment. The Bill was to come up for consideration before the House on August 12 in respect of this minor modification and if the Bill was passed with this modification by the Upper House he could declare here publicly that he knew that the Bill would receive the assent of H. E. the Governor within one week of its disposal by the Upper House. In this connection he pointed out that in other provinces they had not been able to make any progress in respect of any tenancy legislation of this character and this Bill which had been sponsored by the Bengal Ministry, conferred very substantial rights on tenants. He detailed the achievements of the Ministry in respect of solving the problem of rural indebtedness, marketing of jute, primary education and the release of detainees.

#### SUPPLEMENTARY GRANTS VOTED

**15th. AUGUST :—**After a recess of four days the House assembled to-day when the Opposition for a second time measured their strength with the Government when the amendment of Mr. *Abdul Hakim* (Independent Proja), seeking to reduce the supplementary demands for one lakh of rupees, made by the Home Minister, the hon. Sir K. *Nazimuddin* (to institute a Publicity Department), to one rupee, was rejected by the House by 123 votes to 103.

The entire European bloc, excepting Mr. *W. C. Wordsworth*, who remained neutral, voted with the Government. The whole demand of one lakh of rupees was then passed by the House, which then adjourned.

**16th. AUGUST :—**The Scheduled Caste members of the Opposition attacked the Government to-day for its lack of a definite policy and sufficient provision for the uplift of the backward classes, when hon. Mr. *Fazlul Huq* moved a supplementary grant of Rs. 5,35,000 under "Education—General". It was pointed out in the course of several speeches that while ample provision had been made for the Scheduled Castes in the provinces where the Congress had shouldered the responsibilities of Government, the Government of Bengal displayed a notorious lack of initiative in this matter in spite of various promises. The Premier, in his speech, maintained that he was greatly solicitous for the welfare of the backward communities and denied the charges levelled against the Government.

The Assembly, in a two-hours sitting, passed without any division the entire supplementary budget demands, amounting to about Rs. 48 lakhs. The demands included Rs. 40 lakhs for loans and advances to cultivators in districts where floods and other causes have damaged the crops, Rs. 10 lakhs as the Government's initial contribution to the Famine Insurance Fund, Rs. 5 lakhs for the advancement of the education of members of the Scheduled Castes and Rs. 50,000 as the cost of acquisition of land for a college in Calcutta for Muslim girls.

At the conclusion of the day's business the Hon'ble *Speaker* announced that His Excellency the Governor had given his assent to the Bengal Tenancy Amendment Bill. The announcement was received with cheers from Ministerial benches.

#### THE DENTISTS' BILL

**17th. AUGUST :—**The Assembly passed to-day the Bengal Dentists' Bill introduced by the Government. The measure sought to provide for the control of dental practitioners in the Province.

Earlier in the day the *Speaker* disallowed two adjournment motions, one moved by Dr. *Nalinakshya Sanyal* to discuss exclusion of two opposition members from the Board of Agriculture, and the other moved by Mr. *Shamsuddin Ahmed* regarding alleged acts of intimidation by the Police in Kushtia,

## BREEZE IN THE HOUSE

**18th. AUGUST :—**An indication that the temper on both sides of the House still continued to be frayed was apparent when there was a sudden flare-up to-day during interpellations in which the Deputy Leader of the Congress Party in the Assembly, Mr. T. C. Goswami figured prominently.

Charges of 'liar' and 'thief' were hurled across the floor of the House and the Speaker had to call several members of both sides to order in a very stern tone. Confusion prevailed for a while, several members rising in their seats at the same time and the voice of the Speaker appeared to have been drowned in the chaos that prevailed.

The root cause of the trouble lay in the question asked by Dr. Nalinakshya Sanyal about certain appointments which, he alleged, were made over the heads of the Public Service Commission. The normal business of the House, namely, consideration of the Bengal Maternity Benefit Bill receded to the background and the whole interest centred on the unexpected development. Finally, both Mr. A. K. Fazlul Haq and Mr. T. C. Goswami withdrew the unparliamentary expressions.

## MATERNITY &amp; TANKS IMPROVEMENT BILLS

The Assembly to-day passed the Bengal Tanks Improvement Bill without division. The discussion on the Bengal Maternity Benefit Bill was going on when the House adjourned till the 22nd.

**22nd. AUGUST :—**The echo of Friday's uproarious proceedings did not die down when the Assembly met to-day. The atmosphere was still charged with bitterness and acrimony. The Ministerial side brought forward two motions for consideration by the Privileges Committee. The first moved by Mr. M. A. H. Ispahani referred to the statement which Mr. Sarat Chandra Bose issued on Aug. 8, after Mr. A. R. Siddiqui had made allegations of bribery on the floor of the House. The second moved by Mr. Fazlul Rahman (Dacca University) referred to Mr. T. C. Goswami's remarks made on Friday with regard to the chair. Both these motions were welcomed by Mr. Bose and Mr. Goswami respectively and they were referred to the Privileges Committee. Mr. Goswami in accepting the motion indulged once more in some hard hitting. This almost caused another uproar in the Coalition benches but the Hon. Mr. A. K. Fazlul Haq and Sir Nazimuddin beckoned to their supporters to remain silent. After the motion had been referred to the Privileges Committee, the House thinned away and the Maternity Bill was taken up and adopted.

## DISCUSSION OF NON-OFFICIAL BILLS

**23rd. AUGUST :—**The Assembly was devoted to-day to the consideration of the non-official Bills and dealt with only three. Of the three Bills, the Bengal Municipal Amendment Bill of Mr. Sukumar Datta (Congress) sought to do away with the system of nomination in municipalities; the Bengal Medical Amendment Bill of Maulvi Tamizuddin Khan (Leader of the Independent Proja Party) sought to give the persons, who had received their training in and obtained diplomas and certificates from medical schools, now recognised by local Governments, prior to such recognition, an opportunity of getting themselves registered under the Bengal Medical Act of 1914 within three years, and (3) the Bengal Homoeopathy Faculty Bill, moved by Mr. Banerji (Congress), asked the Government to establish a faculty of homeopathic education in Bengal.

The movers of all these three Bills wanted their Bills to be referred to Select Committees, but the motions were rejected by the House, the Government having opposed them. There was some heat when the motion of Mr. Sukumar Datta was put before the House by the Speaker. A member of the Congress Party called for division, but after the House had assembled in response to the division bell, the Opposition did not press for it.

## COMPULSORY FREE RETIREMENT OF GOVT. OFFICIALS

**24th. AUGUST :—**A non-official resolution, moved by a member of the Opposition, was passed without a division in the Assembly to-day. The resolution, which was sponsored by Mr. Jogendra Nath Mondal (Scheduled Caste), stated: "This Assembly is of the opinion that with a view to curtailing the cost of administration and minimising the unemployment problem to a certain degree, the compulsory retirement of all Government officials in the Provincial and Subordinate Services be effected on the completion of 25 years' service."

Speaking on behalf of the Government, the Finance Minister, the hon. Mr. *Nalini Ranjan Sarker* said that the policy advocated in the resolution was a short-sighted one, and he maintained that if the Government adopted this policy, it would, in the long run, lead to increased expenditure. The Finance Minister, therefore, urged the mover to withdraw the resolution. Half a dozen members, including three members of the Ministerialist Party, spoke in support of the resolution, which though opposed by a few was carried without a division.

#### COMPULSORY PRIMARY EDUCATION

Another non-official resolution, sponsored by Mr. *Abdul Majid* of the Opposition, was also carried without a division. The resolution wanted the Government to take immediate steps for the introduction of free and compulsory primary education in Bengal, including Calcutta and all other municipal areas, and recommended that while parts of the Provinces, both rural and urban, including the City of Calcutta, should be called upon to contribute to the cost of primary education, and should be included within the scope of one single Act, the cultivators of the Province should be excluded from the burden of such taxation on the ground that they had to bear an additional commodity tax on jute, yielding an annual revenue of Rs. 3,50,00,000 to the Central and Provincial Governments.

The Government did not oppose the resolution, but the Prime Minister, the hon. Mr. *A. K. Fazlul Huq*, speaking on behalf of the Government, explained the significance of the proposed measure.

#### COMMUNAL PERCENTAGE IN SERVICE

**25th. AUGUST** :—After a debate lasting over two hours, the Assembly adopted a non-official resolution moved by Mr. *Mian Abdul Hafeez*, a member of the Ministerialist Party, seeking to fix the percentage of appointments in various branches of the public services and to civil posts (temporary and permanent) as follows: Muslims 60, Scheduled Castes 20, and the rest 20. An amendment, moved by Mr. *R. Ahmad*, seeking to fix the percentage at 70 for Muslims, 15 for the Scheduled Castes and 15 for the rest, was rejected by 115 votes to 31.

The Congress Party, the Independent Scheduled Caste Party, the unattached members and two Europeans remained neutral, while the Ministers, a majority of the Europeans and some non-Congress Hindu members voted against the amendment.

A sharp rebuke to the Ministerialists was administered on behalf of the Europeans by Mr. *Curllis Miller* who seemed to be disillusioned by the exhibition of communal tendencies by the rank and file of the supporters of the present Cabinet.

This concluded the business of the House and the session was prorogued *sine die*.

## The Bengal Legislative Council

### Autumn Session—Calcutta—8th August to 23rd August 1938

#### ADJOURNMENT MOTIONS

The autumn session of the Bengal Legislative Council opened in Calcutta on the **8th. August 1938**. Five adjournment motions were given notice of, two of which were withdrawn and the other two relating to the assault on Prof. Humayun Kabir at Park Circus on Sunday were ruled out of order by the Hon. President as they were not properly drafted. The other adjournment motion moved by Mr. *Kamini Kumar Dutt* regarding the appointment of several Enquiry Committees by the Government just as the session was due to commence was admitted and Wednesday was fixed for the discussion of the motion.

The Governor's message regarding the Bengal Tenancy Act and the Bill as passed by the Assembly on the recommendation of the Governor was placed before the Assembly,

## APPOINTMENT OF COMMITTEES

**10th. AUGUST :—**By 32 to 19 votes the adjournment motion moved by *Sj. Kamini Kumar Dutt* against the appointments of several committees by the Government of Bengal was defeated to-day. Initiating the debate, *Sj. Dutt* said that the announcement regarding the appointments of the Committees was made in an extraordinary situation. It was anything but fair to appoint the committees at a time when the question of no-confidence motion against the present Ministry was looming large and the atmosphere was tense in view of the uncertainties about the stability of the present Government.

Replying to the charges, *Khawaja Sir Nazimuddin*, Home Minister, said that the Hon'ble Member had not taken the trouble to find out facts before he jumped to his conclusion. If he had taken the trouble of reading the proceedings of the Bengal Legislative Assembly during the discussion on budget and during the sittings in the cold weather, he would have known that Government had promised to appoint committees for the investigation of certain questions. One of those was the committee to investigate the working of the Chowkidari system. The Home Minister said that he was sure and definite that as far as the Assembly was concerned in the course of the budget discussion, Government promised to appoint a committee to investigate the whole question.

## EXTRA GRANT FOR MOSLEM EDUCATION

**11th. AUGUST :—**The Council accepted a resolution to-day moved by *Mr. Nur Ahmed* that a sum of Rs. 25 lakhs be set apart, within the course of 2 and a half years, in addition to the present annual allotment sanctioned for Moslem education in all its branches. Speaking on the resolution, the Hon. *Mr. A. K. Fazlul Huq*, the Premier outlined the Government policy with regard to Moslem education. He said that the Government had accepted the principle of providing more and more funds for advancement of Moslem education and the education of the minorities and backward classes. Moving the resolution, *Mr. Nur Ahmed* said that it was only a question of doing sheer justice to the community whose education had been persistently neglected in the past. The Moslem community comprised 53 per cent of the population of Bengal but of that proportion only 1.5 per cent were educated, and it was only right that more funds should be set apart for the education of the community.

## TENANCY ACT AMEND. BILL

**12th. AUGUST :—**On the motion of the hon. *Sir B. P. Singh Roy*, Revenue Minister the Council passed this afternoon without opposition the two amendments to the Bengal Tenancy Act Amendment Bill as suggested in the Bengal Governor's message to both the Chambers of the local Legislature. These Amendments, which had already been passed by the Lower House related to the commencement clause of the Bill and the provisions regarding suspension of enhancement of rent. The Bill, as now amended, was forwarded to His Excellency the Governor for his assent.

While accepting the change recommended by his Excellency the Governor, *Maharaja Sir M. N. Roy Choudhury* of Santosh on behalf of the landlords, appealed to His Excellency to withhold his assent from the altered Bill when it would be presented to him for sanction under Section 75 of the Government of India Act or to return the Bill again to the local Legislature to reconsider all the objectionable portions. If that was not possible, the Maharaja appealed to His Excellency to reserve it for the consideration of H. E. the Governor-General as he believed that the Governor-General would be pleased either to withhold his assent to the Bill or return it to the local Chambers for reconsideration of the objectionable provisions or reserve it for the signification of His Majesty's pleasure in respect thereof. The Maharaja added that the landlords sincerely expected legitimate relief without being driven to the Federal Court for a decision in relation to the momentous issues involved in the case. Concluding, he warned the present Ministry of Bengal that by introducing this obnoxious measure, they were playing into the hands of communists (?).

Replying on behalf of the Government, the hon. *Sir B. P. Singh Roy* said that the Ministers were anxious to give relief to the tenants. The Bill, however unpalatable it might appear to the landlords, would ultimately guarantee their interests and bring about a better understanding between landlords and tenants,

APOLOGY DEMANDED FROM EDITORS

**15th. AUGUST :—**On the recommendation of the Committee of Privileges, the Council passed to-day a resolution demanding an unqualified apology from the editors of two Nationalist dailies for casting "reflections on the conduct of the President of the House" in connection with the "no-confidence" motions against the Ministers. The following is the text of the resolution of the Privileges Committee, which the Council passed :—"In view of the statement made by the hon. the President, the Committee of Privileges strongly condemns the reflections cast at the conduct of the President of this House by the Editors of the *Hindusthan Standard* and the *Ananda Bazar Patrika* on the 5th August in violation of the privileges of the House, and recommends to the House that it should demand an unqualified and ample apology from the Editors of the papers concerned."

REPRESENTATION IN PUBLIC BODIES

Another resolution of the Committee of Privileges discussed by the Council demanded that "whenever and wherever members of the Legislature are nominated on different public bodies, the Council be given an equal representation." The hon. Sir *Nazimuddin*, Home Minister, pointed out that if the resolution was given effect to it would tie the hands of the Government and impose restrictions on them in the matter of appointing such committees. After some discussion, the consideration of the resolution was adjourned till the next week.

MEASURE FOR RURAL RELIEF

**16th. AUGUST :—**The Council accepted to-day, after important modifications, a resolution moved by Mr. *Kamini Kumar Datta* urging the appointment of a committee, consisting of members of both the Houses of Legislature, with power to co-opt experts to formulate a scheme and suggest proper legislative measures for the solution of the problems of rural indebtedness, reorganisation of rural economy, establishment of institutions for agricultural education, development of co-operative institutions and setting up of industrial banks for the purpose of advancing loans to youngmen and agriculturists for starting and conducting small industries.

An amendment which was moved by Mr. *Nur Ahmed* and accepted by the House robbed the resolution of its most important provision relieving the Government of the necessity of appointing a committee as desired by the mover.

OFFICIAL RECEIVER'S BILL

The Calcutta Official Receiver's Bill which was passed by the Assembly on the 30th March last was introduced by the Hon'ble *Nawab Musharruf Hossain* and passed by the House without any modification.

CONFERRING OF TITLES

**17th. AUGUST :—**The Council rejected to-day by 28 votes to 14 the resolution of Mr. *Nur Ahmed*, urging that the conferring of any title of honour or titular distinction on any person in Bengal by His Majesty or H. E. the Governor-General be discontinued as early as possible.

PUBLICITY GRANT OPPOSED

The Council next held a general discussion on the Government's supplementary budget demands. Opposition criticisms of the various items of the demands were on the same lines as in the Lower House.

Dr. *Radha Kumud Mukherjee*, Leader of the Congress Party, severely criticised the provision of one lakh of rupees for the establishment of a separate Publicity Department. He pointed out that the Government had not put forward any scheme, showing how this huge sum of money was going to be spent by them for publicity work. All that they knew was that two or three appointments were going to be made. He wondered that the House had not been taken into the Government's confidence on this matter. He wanted a categorical answer from the Government if it was in their contemplation to select certain newspapers and subsidise them for the purpose of carrying on the "nefarious" activities of the Government.

Prof. *Humayun Kabir* also severely criticised the appointment of a Government Officer as the Director of Public Information, under the party system of Government must, if he was to do his duty properly, identify himself

with the Government to such an extent that he was bound to act prejudicially to his own interest as a Public Servant. In U. P. an outsider had been appointed as Director of Public Information, who would go back to his usual work when the term of office of the present Government came to an end. If the Bengal Cabinet had created a portfolio of publicity and allotted it to one of themselves, nobody would have anything to say, but that had not been done and the Government should consider if it was just and fair.

Replying on behalf of the Government, the hon. Mr. Nalini Ranjan Sarkar dealt with the remarks of Dr. Mukherjee and said that not a farthing out of this one lakh of rupees would be spent on what Dr. Mukherjee characterised as the nefarious activities of the Government. Mr. Sarkar pointed out that the duties of the Director would mainly be giving publicity to the work, programme and policy of the present Government, not of any particular group or party.

#### DISCUSSION OF SWAN COMMITTEE REPORT

**19th. AUGUST :—**The Council to-day had a dull sitting when it discussed the recommendations of the Swan Retrenchment Committee, 1912 and the decision taken on them. Members belonging to the different groups criticised the Government for not accepting the various recommendations of the Committee and giving effect to them. Replying on behalf of the Government, the Finance Minister, the hon. Mr. Nalini Ranjan Sarkar, said that the Committee sat at a time when it was absolutely necessary to balance the budget and also to show to the proper authorities the real financial position of Bengal and to get a redress. Those circumstances did not prevail at the present moment. Mr. Sarkar emphasised that in a democratic government, it was difficult to reduce expenditure.

#### NON-OFFICIAL BILLS

**22nd. AUGUST :—**Non official bills were discussed in the Council to-day. Khan Bahadur Sayed Muzzamuddin Hossain's Bengal Relief to the Poor and Unemployed Bill was referred to a select committee. The object of the bill was to provide relief to the poor and the unemployed to tide over the financial difficulties during slack season when owing to suspension of agricultural works the poor people do not get work and the indigents alms. It was a blot on the administration that so far no poor laws nor any social laws such as unemployment insurance had been enacted. The bill proposed to lay down the foundation for such laws.

The House refused permission to Mr. Ranajit Pal Choudhury to refer his bill, the State Provision Bill for Clinical and Bacteriological Examination, to a select committee. The motion for reference to the select committee was pressed to a division and lost by 26 to 14 votes.

Fourteen bills were introduced by non-official members. They include the Bengal Repressive Laws Repealing Bill by Mr. Lalit Chandra Das ; the Bengal Shop Prices Regulation Bill by Mr. Humayun Kabir ; the Bengal Abolition of Dowry Bill by Rat Surendra Narayan Sinha, the Bengal Suppression of Immoral Traffic (Amendment) bill by Mr. Nur Ahmed and the Bengal Public Gambling (Amendment) Bill by Mr. H. P. Poddar.

#### APPOINTMENT OF GOVERNORS

**23rd AUGUST :—**The Council accepted to-day a resolution moved by Mr. Lalit Chandra Das (Congress), urging that no appointment to the Governorship of the Province should be made from amongst the members of services either under the control of the Secretary of State or under the Governor-General or the Governor. The Council also rejected the second half of Mr. Das's resolution which stated 'that in all future appointments to such post, the opinion of the Council of Ministers of the Province should be previously obtained.' Speaking on behalf of the European Group, Sir Edward Benthall said that a Governor had to perform certain functions, for example, protection of minorities. It was essentially necessary that a Governor should stand above parties. Then, again, if a Governor was appointed to the selection of the Ministers, the appointment would not be liked by different parties. The Governors, said Sir Edward, since the start of the reforms, acted constitutionally and carried out the Act in spirit as well as in letter. The speaker hoped that the province would continue to enjoy the selection of the Governor in future as it had done in the past. For these reasons, Sir Edward opposed the resolution on behalf of his party.

The Council then adjourned *sine die*.

# The U. P. Legislative Assembly

Autumn Session—Lucknow—1st. August to 10th. August 1938

The autumn session of the U. P. Legislative Assembly commenced at Lucknow on the 1st. August 1938 with the Speaker, *Shri Purushottamdas Tandon* in the chair. There was a fairly good attendance of members. After question-time, tributes were paid to the late *Khan Bahadur Maulvi Fashi-ud-din* by the Premier and party leaders, and the House adjourned as a mark of respect to his memory without transacting the business contained in the agenda.

## ADJOURNMENT MOTIONS

**2nd. AUGUST :—**The *Speaker* informed the House to-day that he had received notices of four adjournment motions. One of them was not taken up due to the absence of the member who had given notice of it, and there was a great deal of discussion regarding the admissibility of the remaining three motions. One of them relating to the cancellation of the licenses of arms was withdrawn by *Mr. Muhammad Ishaq Khan* when the *Premier* denied that the Government had issued any order to district officers advising such a step to be taken in places where there was tension between the Zamindars and the tenants, or where there was an apprehension of a breach of the peace. The next motion regarding the alleged destruction of a judgment of the junior member of the Board of Revenue, and the fourth one about the resignation of the Muslim members of Fatehpur municipality were both ruled out by the Speaker and were not admitted.

## BILLS INTRODUCED AND PASSED

The House next referred to the select committee the Public Gambling (Amendment) Bill, and passed into law the Almorah Honorary Assistant Collectors' Decrees Validating Bill, the Bengal Regulation Repealing Bill and the Bill to extend the period for the institution of suits for the abatement of rents in certain permanently settled areas. The *Minister for Revenue* introduced the U. P. Stay of Proceedings (Revenue Courts) Amendment Bill, 1938.

The *Premier's* motion that the U. P. Melas Bill as amended by the select committee be taken into consideration was agreed to and the House also passed a resolution moved by the *Minister of Justice* about central legislation for certain matters enumerated in the provincial list.

## COMPULSORY VACCINATION IN RURAL AREAS

**4th. AUGUST :—**A resolution, which was moved by *Qazi Muhammad Adil Abbasi*, recommended the introduction of compulsory vaccination in rural areas. An amendment was moved by a member of the Congress party, *Shri Lal Bahadur Shastri*, urging that the introduction of a compulsory vaccination should be 'so far as practicable'. The pros and cons of the subject of vaccination were discussed threadbare for nearly five hours. A majority of speakers, belonging to the Congress party and representing rural areas, held that vaccination was no preventive against small-pox and was positively injurious to health. This view was strongly combated by *Sir Jwala Prasad Srivastava* and *Mr. H. G. Walford*, who opined that unless vaccination was made compulsory the ravages of small-pox could not be prevented.

## PAY OF CONSTABLES AND PEONS

The proceedings in the afternoon were governed by the desire of the Ministerialists to prevent discussion of the Opposition resolution in the name of *Lieutenant Sultan Ahmed* regarding the pay of police constables and peons. The Government having referred to the Police Reorganization Committee, the question raised by the resolution was probably desirous of avoiding discussion at this stage. The Opposition called for a closure twice and once gave it up without a division, and on the other occasion lost by 98 to 16 votes. The House then adjourned.

## RECOGNITION OF TRADE UNIONS

**5th. AUGUST :—**The Assembly devoted the best part of the day to the discussion of a bill introduced by *Mr. Rajaram Sastri*, the labour leader of Cawnpore, for

compulsory recognition by the employers of all the registered trade unions. The bill provided a fine of Rs. 500 in the first instance and six months' imprisonment afterwards for the employers for violating its provisions. The Bill was introduced in January and the motion was made to day for its reference to a select committee. Dr. K. N. Katju took up a non-committal attitude and gave no clear indication as to whether the Government were opposed to the motion for the reference of the bill to a select committee. He said that it was rather curious that the Mazdur Sabha had not sent their opinion on the bill and announced the Government's intention of framing a comprehensive bill which would deal with the entire industrial organization and all the various situations which generally sprung up between capital and labour, and particularly with the method of the settlement of disputes. He said that he did not hold any brief for labour and urged that strike should be the last weapon in the armoury of labour, that threats of strike were not conducive to a proper atmosphere and that sabre rattling was also not good and would not solve the difficulties of labour.

The discussion of the bill was postponed till the next non-official day.

#### DEBTORS' RELIEF BILL

The discussion on another bill to provide relief to the debtors, which was brought by Mr. Z. H. Lari, a member of the Muslim League, was similarly postponed at the request of the Premier, who said that the Government would very soon bring forward such a legislation. The House then adjourned till the 8th.

#### COURT FEES AND STAMP AMEND. BILLS

**8th. AUGUST :—**Moving consideration of the amendments made by the Upper House in the Court Fees Bill, Dr. Katju said that the working of the courts during the quarter ended June showed that compared to last year there had been a drop of rupees ten lakhs in the income under court fees. This showed how the Government stood to lose heavily in revenue and how much the Assembly was justified in sanctioning court fees to meet the cost of justice. The Upper House had not only substantially altered these fees, but had raised a constitutional question of importance. It was the Lower House which had passed the estimates of the budget and sanctioned grants for them. The Upper House had power to give legislative sanction to the Finance Bill and all Bills, but that power should not be exercised against taxation measures unless the Upper House thought that the Assembly was trying to indulge in such proposals as amounted to expropriation.

Six amendments made by the Upper House were rejected. Twice the House divided and once an amendment was rejected by 98 votes to 36 and again by 79 votes to 11. Dr. Katju proposed an amendment with a view to allaying apprehensions expressed in the Upper House. This ensures that in easement suits and suits for injunction, the total court fee charged would not exceed Rs. 200. The House accepted this addition to clause seven.

The Moslem League members wished the house to adjourn, but this proposal was voted down. The party thereupon withdrew from the House but the main Opposition party of Independents, which was led by the *Nawab of Chhattari* remained in the Chamber and participated in further discussion.

In the Bill passed by the Assembly, suits for landed property were to be assessed at ten times the land revenue as against five times in the existing Act. The Upper Council had reduced it to six times of the land revenue. The Assembly restored its previous decision by 79 votes to 11.

The Premier, speaking on the last amendment, declared that the bill before the House was not a taxation measure. The Opposition allegation that it would bear heavily on the poor was unfounded. In fact those who sat on the Opposition benches had when they were on the Treasury benches raised the fees for poor litigants and lowered them for richer classes. The present Ministry had reduced them in case of the poor litigants and imposed a higher burden on the rich classes.

**9th. AUGUST :—**The House to-day rejected everyone of the amendments made by the Council in the Bills. Opposition parties vigorously supported them, emphasising that the province was not in a position to bear further taxation. There were two divisions in connection with the amendments to the Stamp Bill, in which the Opposition sustained defeats.

STAY OF PROCEEDINGS AMEND. BILL

Landlord members of the Independent party and the Muslim League party criticised the Government's revenue policy and strongly opposed the consideration of the Stay of Proceedings (Revenue Courts) Amendment Bill 1938, which sought to extend the duration of the Act of 1937 for a further period of 18 months. A motion was made for reference of the bill to a select committee which did not find favour with the Congress party.

Dr. *Katju*, the Minister for Justice, asserted that the attitude of zamindars was primarily responsible for the delay in the progress of the Tenancy Bill. Referring to the demand voiced by an Opposition member that the zamindars should get proportionate remissions if arrears of rent were wiped out, he said that it did not show that the zamindars had any real desire to grant relief to the tenants and urged that revenue remissions should not be made inter-dependent.

Attacks on Zamindars and counter-attacks on the Congress party and the Government made the debate lively and the discussion was proceeding when the House rose for the day.

**10th. AUGUST :—**The Assembly passed to-day the Stay of Proceedings (Revenue Court) Amendment Bill and the Regularization of Remissions Bill and referred to a select committee the Encumbered Estates (Amendment) Bill. Consideration of the Mela Bill was postponed till the next sitting.

The debate on the Stay of Proceedings Bill was lively. The Premier said that mischievous statements were being made at various conferences that zamindars were being murdered in large numbers. The fact was that the sufferers in the majority of cases were not zamindars but poor tenants. Continuing the Premier said that Congress had not pledged themselves to abolish the zamindari system but to secure maximum relief for tenants consistent with principles of justice and good conscience. Zamindars accused Government of delay. This was a surprise, for the delay had been caused only to accommodate the zamindars. Had Government taken steps to use their majority and to rush the Tenancy Bill then the very critics of the delay would have accused Government of fascist methods. However, Government would take the hint and push forward their legislative programme. Government, he said, could have brought forward a Bill long ago wiping off arrears but it had been urged on Government by zamindars that such a course might encourage tenants not to pay their current demands. As regards payment of revenue zamindars had not made larger payments than before and revenue remissions in respect of arrears which existed only on paper were not justified.

The House was then adjourned till the 17th October to discuss the Tenancy Bill which was still under discussion in the Select Committee.

**Winter Session—Lucknow—17th. October to 21st. December '38**

ENQUIRY INTO TANDA FIRING

The winter session of the Assembly commenced at Lucknow on the 17th. October 1938. The adjournment motion of which notice had been given by Mr. *Mohammad Ishaq Khan* (Independent party) fell through for want of the requisite support in the House. Only 33 members stood up in their seats supporting the motion, whereas the rules required that not less than 38 members should support the motion. Those lending their support to the motion included Kunwar Sir Maharaj Singh and Mr. S. C. Chatterji, besides the Muslim members of the two opposition parties. The motion was that the business of the House be adjourned in order to discuss a matter of urgent public importance, viz the policy of the Government in refusing to appoint a non-official committee to enquire into the unjustified firing and indiscriminate lathi charge in Tanda town without notice on peaceful and unresisting Muslims on the night of Aug. 21, 1938 resulting in the death and injuries of various degrees of severity to a large number of Muslims and the failure of the Government to transfer the officials concerned.

Mr. *Rafi Ahmad Kidwai*, Revenue Minister, next presented the report of the Select Committee on the United Provinces Tenancy Bill.

STAMP & COURT FEES AMEND. BILLS

The House then disagreed with the amendments made by the Council to the Stamp (Amendment) Bill and the Court Fees (Amendment) Bill. The fact of

disagreement was now reported to the Governor and the Bills were considered by a joint session of the two houses in December next. The House then adjourned.

#### MELAS BILL

**18th. OCTOBER :—**The Assembly passed into law to-day the Government bill for the control of certain melas. The provisions of the bill would be applied to Magh Mela, Allahabad. All or any part of the Act might be brought into operation in any area in the province where melas (other than those held under the authority of the local boards) are held by notification in the *Gazette* for each period as may be specified. Before the notification is issued at least one month's time will be given for objections. The bill excluded from its purview (a) *mela* or gathering held under the authority of a local board, or (b) a Muslim religious gathering held in connection with *dargah* or shrine. After the passage of the Bill the Assembly discussed the report of the anti-corruption committee and then adjourned.

#### THE U. P. TENANCY BILL

**19th. OCTOBER :—**The *Premier*, requesting the Speaker to adjourn the House till November 10, said that he had received a letter from the Nawab of Chhatari, communicating the decision of the Agra Zamindars' Conference to request him to postpone consideration of the Tenancy Bill for the present to enable the negotiations committee to get the matter settled. The Premier added that he was authoritatively informed that the Agra zamindars had decided to accept the decision of Sardar Vallabhbhai Patel and his colleagues (of the parliamentary sub-committee of the Congress working committee). He had also received a letter from the Raja of Jehangirabad saying that on being informed of the contents of the letter received by the Nawab of Chhatari from Sardar Vallabhbhai Patel he had called a meeting of the British Indian Association of Oudh on October 27 and he would, therefore, request him (the Premier) to kindly postpone the consideration of the bill till after October 29.

The *Speaker*, in accordance with the Premier's request, then postponed the session till Nov. 10 and said that to suit the convenience of the Muslim members during Ramzan the House would sit daily from 10 a. m. to 4. p. m.

#### TRADES DISPUTES BILL

The House agreed to the motion of the *Minister of Justice* withdrawing the Trades Disputes Conciliation Bill. He said the intention of the Government was to bring a more comprehensive bill for the settlement of trade disputes in the next session or later if the bill was not ready by that time.

#### DECREES POSTPONEMENT AMEND. BILL

The House also passed into law the U. P. Temporary Postponement of Execution of Decrees (Amendment) Bill which extended the duration of the bill already passed by 18 months. The House then adjourned till the 10th. Nov.

#### THE U. P. TENANCY BILL (CONTD.)

**10th. NOVEMBER :—**The Assembly reassembled today at 10 a. m. *Shri Purn-shottamdas Tandon* presiding, after a recess of 19 days in an atmosphere of tense expectation, as the consideration of the U. P. Tenancy Bill was to begin. The *Speaker* today made a request to the members to speak in Hindustani on the Bill so far as possible and to speak Hindustani with a mixture of as few English words as possible. *Nawab Sir Muhammad Yusuf* wanted the consideration of the Bill after other items on today's order paper had been disposed of, but this suggestion brought forth a bitter speech from the Premier. *Mr. Muhammad Ishaq Khan*, secretary, independent party, moved that the Bill as amended by the select committee be circulated for eliciting public opinion on it till Jan. 15. The Muslim League members twitted Congress Socialists by asking them to come forward with their amendments to the present Bill in terms of what they had been shouting from house-tops and numerous platforms in rural areas. *Mr. Zahirul Hasnain Lari*, speaking on behalf of the Muslim League party, strongly opposed *Mr. Muhammad Ishaq Khan's* amendment as being dilatory and went even to the length of supporting *sir* and ejection proposals in the Bill. Criticizing the

Bill, he said that no provision had been made in it for landless labourers or tenants-at-will.

The *Revenue Minister* explained the Government's policy regarding the Bill, while introducing the same. He said that *sir* proposals as contained in the amended Bill would not affect more than 3,000 or 4,000 landlords, while the Government had accepted the zamindars' own formula regarding ejection. The consideration of the Bill had not concluded when the House adjourned.

**11th. NOVEMBER :—**The *Premier* referred to the sad demise of Kemal Atatürk and was followed by Nawab Sir Muhammad Yusuf, Maulvi Aziz Ahmad Khan, Kunwar Sir Maharaj Singh and the Speaker who recalled the Khilafat movement of 1921 when all Hindus and Muslims had suffered for the cause of Turkey.

Consideration of the Tenancy Bill was then resumed and several interesting speeches were delivered. *Raja Jaginnath Bux Singh*, the *Raja of Tirwa* and *Achaya Narendra Deva* put forth the view-points of the Oudh talukdars, the Agra zamindars and the Kisan Sabhaities, respectively. *Shaikh Zahir Uddin Faruki* and *Mr. Aziz Ahmed Khan* dealt in detail with the Muslim League's point of view, while *Mr. Ajit Prasad Jain* explained the various provisions of the amended Bill. *Shaikh Muhammad Habibullah* declared that history would repeat itself and the zamindars would prove ultimately to be the real benefactors of the masses. Consideration of the Bill had not concluded when the Assembly rose for the day.

**14th. NOVEMBER :—**Very long speeches, interspersed with humorous sallies, were the order of the day. The longest speech was delivered by *Mr. Mohanlal Gautam* (Congress Socialist), who would not rest content until the zamindars were abolished outright. He was followed by *Khan Bahadur Fazlur Rahaman Khan*, who vigorously expressed the point of view of the zamindars regarding the unfair nature of the provisions of the Bill. He referred to the minute of dissent of Pandit Govind Ballabh Pant to the report of the select committee on the Agra Tenancy Bill of 1926 in which he wanted that three-fourths of land should be given to the tenants and one-fourth should retained as 'sir' by the zamindars, and stressed that the modest request of the zamindars to keep one-tenth of land as 'sir' was being refused to-day. The last but by no means the least important speech was made by the Minister for Communications, *Hafiz Mohd. Ibrahim* who pointed out that no attempt was being made in this Bill to abolish the zamindari system, and in fact the Bill was a sort of a saviour to the zamindars, whose position would have been gravely threatened if this piece of legislation had not been brought forward by the Government.

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**16th. NOVEMBER :—**Among those who participated in the general discussion of the Bill to-day were the *Premier*, *Nawab of Chhatari* and the *Raja Saheb of Jehangirabad*, president of the British Indian Association, Oudh.

The *Premier* denied that the measure was a political one, and said that its sole aim was to lighten the burden of the crores of 'kisans' living in rural areas. He recognized the benefactions made by the zamindars to the universities and hospitals etc. and wanted them to make sacrifices in the interests of the tenants. He said that not an inch of actual *Sir* land was being touched at all. The zamindars could have *Sir* rights up to 50 acres, and beyond that they had khudkasht lands. Regarding ejection, they had incorporated in the bill what the zamindars and talukdars wanted them to do and they were still prepared to consider concrete suggestions. Concluding, he said that the 'kisans' after a year would realize that their condition was better than what it had been for a century.

The *Nawab of Chhatari* urged that the bill should not be made a political issue as it affected lakhs of tenants and zamindars. He pointed out that the Bill would lead to a lot of litigation and that it would make the tenants refuse to pay their rent. He deplored that there was no mutual cooperation and goodwill between the Government and the Opposition in connection with the Bill.

The *Raja Saheb of Jehangirabad* regretted that the *Premier* had spoken in a partisan spirit in favour of the tenants and had not said a word as to what they were going to do for the zamindars. He pointed out that previous Governments had always consulted the landlords about the tenancy legislation, and had not taken up a partisan attitude. Referring to the *Premier's* appeal to the zamindars to make sacrifices, he said that there was a limit to such sacrifices, and added that the

zamindars could have supported the Government if proper justice was meted out of them.

Dr. *Katju*, Minister of Justice, made an interesting speech in which he criticized the Muslim League's demand for the application of Muslim personal law in the Tenancy Bill and quoted from the books that personal law did not apply in Mustafa Kemal Pasha's Turkey of which the Muslims were so proud.

Mr. *Rafi Ahmed Kidwai*, replying to the debate, made a sporting offer to the Muslim members when he said that the Government was quite prepared to apply Muslim personal law in the Bill if the Muslims agreed to its application not only in the case of poor Muslim tenants but also in respect of big zamindaris and taluqdaris also. He invited the Muslims to bring a private bill making the Shariat law applicable to all the Muslims in the provinces and the Government would support it. He reiterated the Premier's statement that regarding ejection if any better course was suggested by the Opposition the Government would be willing to consider the same.

The House adopted the motion of the Revenue Minister, Mr. *Kidwai* that the Bill be taken into consideration, after which it adjourned till Nov. 28.

#### RENT AND REVENUE RELIEF BILL

The U. P. Rent and Revenue (Relief) Bill was also introduced today providing the same amount of relief to the tenants in Oudh in cases of agricultural calamities as in the Agra province. But it could not be passed as a Congress member, Mr. *Charan Singh* moved an amendment to the schedule attached to it, which was being discussed when the House rose for the day and adjourned till Nov. 28.

**28th. NOVEMBER :—**The Assembly adjourned after question time to-day as a mark of respect to the memory of *Maulana Shaukat Ali* and *Mahatma Hansraj* to whom rich tributes were paid by Premier Pant, party leaders and the Speaker of the House, *Shri Purshottam Das Tandon*.

#### THE TENANCY ACT AMEND. BILL (CONTD.)

**29th. NOVEMBER :—**The House took up to-day the Tenancy Bill for consideration clause by clause. Six amendments were discussed during the course of the day, of which none was carried. One of them urged that the Kumaon and excluded and partially excluded areas be brought within the purview of the Bill and another wanted that the Oudh Rent Act of 1886 be not repealed by this Bill.

**30th. NOVEMBER :—**Two divisions took place to-day in connection with amendments, one on the closure motion moved by a Congress member and the other on the amendment moved yesterday by a Muslim Leaguer seeking to omit the definitions of 'commissioner' and 'board' in clause 3(3).

When the closure motion was carried only after one speech made from the Opposition benches on the amendment, *Nawabzada Liaquat Ali Khan* emphatically protested against the tactics of the Congress party to muzzle the discussion even on such a very important amendment. The *Speaker* remarked that the Government should see that the closure motions were not moved too early. Three amendments moved from the Opposition benches of a minor character were accepted by the Government today.

#### Joint Session of the Legislature 1st. to 5th. December

##### STAMP & COURT FEES AMEND. BILLS

**1st. DECEMBER :—**The United Provinces Legislature made history to-day by holding the first joint session of the two Houses to resolve the deadlock over the Stamp and Court Fees Bills and continued for four days till the 5th. Dec.

The Government in its anxiety to dispose of business expeditiously, had issued a strict whip, enjoining on all Congress members to abstain from participation in the debate and as no such stricture applied to members of the Opposition, the debate became a one-sided affair. However, the setting in which the session was held provided some liveliness. Sir *Sitaram*, President of the Legislative Council, presided and the *Speaker*, Mr. *Purshottamdas Tandon* sat beside the Premier.

Over 210 members were present, and the Government whips had calculated that they would win with a comfortable margin of 70 votes. This feeling of sure

success in the lobby was perhaps responsible for a short speech by Dr. K. N. Katju, Minister of Justice, in moving the consideration of the Stamp Bill.

The most interesting feature of the debate was in the manner in which the change of seats and of scenes had affected the views held in the past. Pandit Govind Ballabh Pant and Hafiz Mohammad Ibrahim, the Nawab of Chhattari, who then sat on the Treasury Benches, were in favour of increase in stamp duty and court fees. Sir Maharaj Singh confessed that he had changed his views and the Nawab of Chhattari twitted the Treasury Benches by observing that whoever occupied those benches become a victim to the technique of his predecessors. Mr. Hafiz Mohammad Ibrahim felt provoked by the Opposition attacks and pleaded that the Government measures were aimed at obtaining funds for beneficent activities. It was one thing, he said, for taxes to be imposed by an irresponsible government and another by a popular government. He added that the scheme of taxation reduced the burden of the poor while it increased the burden of the rich.

The case for the Opposition was opened by Mr. Mubashir Kidwai whose arguments were reinforced by Mr. Ramchandra Gupta, Mr. Isha Khan, Mr. Hasan, the Nawab of Chhattari, Sir Maharaj Singh, Mr. Aziz Ahmed Khan and Rai Bahadur Mohanlal. They criticised the Government for having unnecessarily precipitated a joint session.

A majority of 80 votes for the Government was recorded and this revealed to the Opposition parties the hopelessness of their task in trying to argue in favour of the amendments made by the Upper House. For some time, the Moslem League party in the Assembly took the leading part in the debate but, later, consultations in the lobby made them leave the task of leading the debate to the Upper House. The division was precipitated by the chief Government whip, Mr. V. N. Tivary, who moved closure of the debate immediately after the House met after lunch hour, and the motion was carried by 155 votes to 75 votes. Later, the President informed the House that three votes counted on the side of the Government were doubtful and that he would mention the revised poll to-morrow.

The motion for taking the Stamp Bill into consideration was adopted, and thereafter two amendments of the Government were discussed and carried without a division. The House then adjourned.

**2nd. DECEMBER :—**The debate developed to-day to a high pitch of eloquence and liveliness which amply made up for yesterday's dullness. The Opposition's tactics to provoke the Government benches to break their self-imposed silence succeeded and the House heard for three-quarter of an hour lively orations in which the Premier delivered many a broadside.

When the House met the remaining three amendments to the Stamp Bill had been carried within half an hour after a discussion in which Dr. Katju spoke for the Government and Rai Bahadur Mohanlal for the Upper House.

"These are not taxation measures," said Pandit Pant. "They are taxation measures only to the extent that they are money Bills but they lower the charges for the poor and increase them for the rich. They readjust the burden between the two and are measures based on equity and fair play. They propose to remove defects and foibles in Stamps Act and Court Fees Act. While these Bills merely aim at removing discrimination in favour of the rich zamindars, we shall soon come up with proposals for lowering further the burden of the poor and increasing that of the richer classes".

The Stamp Bill was passed by 155 votes 64—a shrinkage of 11 votes in the Opposition's strength and an increase of five votes on the side of the Government compared with yesterday.

The House after the vote took up consideration of the Court Fees Amendment Bill and after some debate adjourned till the next day.

**3rd. DECEMBER :—**Members of all shades of opinion belonging to the Opposition opposed tooth and nail the Court Fees Bill to-day. The argument advanced by the Premier and the Minister of Justice that the object of the two Bills was to put additional taxation on the rich and to decrease taxation of the poor failed to carry conviction with those not belonging to the Congress benches. Kunwar Sir Maharaj Singh, ex-Home Member, in the course of his very able and thoughtful speech,

pointed out that the proper course for the Government would have been to tell the House that they had been able to effect every possible economy and further taxation was needed as those economies were insufficient. He rightly stressed that the real object of the measure was to enhance revenue.

If the object was really to help the poor, why did not the Government restore the old scales which were raised in 1936? This pertinent question was put by *Rai Bahadur Mohan Lal*. That the basic principle underlying the Court Fees Bill, namely to tax justice, was a vicious principle, was the view expressed by another member, *Mr. Zahirul Hasnain Lari*. The hon. Dr. K. N. Katju, in his reply, quoted the view expressed by Sir Shah Muhammad Sulaiman that the court fee should bear some relation to the value of rights claimed and to the amount of time occupied in deciding it. *Syed Aga Haidar* strongly controverted this view holding that it was an *obiter dictum*. He said: 'You convert your courts into a taxi-cab if you are going to levy court fee according to the time taken.'

The House divided twice on closure motion in the course of the day. Every amendment moved by the Minister was adopted despite vigorous opposition benches. It was 5-15 p. m. when the most comprehensive and lengthy amendment raising the scale of court fee in various suits was carried and the Government insisted on night sitting to finish the Bill to-day. The Muslim members objected and it was eventually settled that the House be adjourned till the 5th.

**5th. DECEMBER :—**Dr. Katju moved an amendment to-day to Clause Eight raising the valuation of the zamindari property in permanently settled areas for purposes of assessing court fees from 20 to 30 times the annual revenue. He pointed out that the market value far exceeded the 30 times. The amendment was opposed by Dr. *Ram Ugrh Singh* but adopted by the House.

Another amendment was next adopted raising the valuation from six to ten times the annual revenue where the land formed an entire estate or a definite share of the estate and such revenue was settled but not permanently.

After a great deal of discussion the House divided and passed the Court Fees Bill by 129 against 47 votes. The President said that the business for which the two Chambers had been called had concluded and then dissolved the meeting.

#### THE TENANCY BILL DEBATE (CONTD.)

**6th. DECEMBER :—**The Assembly met to-day in connection with the Tenancy Bill and progress was too slow owing to the stiff and stubborn opposition of the Government to every amendment emanating from the Opposition benches. The whole of the day was taken up with the discussion of the amendments to Clause 3 relating to the definition 'groveland' and the improvements which a tenant is permitted to make on his holding. While the Bill, as it has emerged from the select committee, is quite liberal to the tenants in several respects, certain amendments were carried to-day giving them further rights at the expense of the zamindars. One of them provided that they could construct tanks for storage purposes. This amendment stood in the name of Nawab *Jamshed Ali Khan* who was absent but it was permitted to be moved by the Congress socialist member, Mr. *Vishambhar Dayal Tripathi*. Nawab *Yusuf* and other members of the Opposition parties strongly opposed the amendment which was eventually adopted by the House by 107 to 27 votes. The other amendments which were rejected urged that terracing or levelling should not come within the scope of improvements for which a tenant could claim compensation.

**7th. DECEMBER :—**Clause 3 of the Bill, dealing with the definitions of the various terms occurring in subsequent sections was passed to-day. While the Government accepted a verbal amendment, that moved by the Opposition members, which in any manner affect or alter the main scheme embodied in the Bill, was vigorously opposed by the Government and rejected by the House.

That the landlord members are not at all opposed to the just and proper rights being conceded to tenants was made clear when Nawab *Yusuf* and others extended their support to the amendment moved by a Congress Member, Pandit *Vishambhar Dayal Tripathi*, that 'sayar' should not include the payment for the use of water for irrigation from natural sources. Nawab *Yusuf* said that wherever the vital interests of tenants were concerned the zamindars were ever ready to sacrifice their claims. There was an interesting discussion on the amendment moved by Raja *Bisheshwar Dayal Seth* for the deletion of the provision embodied in clause 4 that an agreement

between a tenant and a landholder was void if it purported to prevent a hereditary tenant from acquiring any of the rights conferred on hereditary tenants. The Raja consented that the taluqdars' consent was necessary for the enactment of this section, so far as Oudh was concerned. This amendment, being opposed to the very basic principle of the new legislation, was opposed by the members of the Muslim League party.

Before the House adjourned, another important amendment was moved by Mr. *Mubashir Husain Kidwai* to delete the provision of making an agreement void if it purported to take away the right of a tenant to sub-let. This amendment was opposed by the Government on the ground that sub-letting was a valuable right which a tenant should enjoy, and was rejected by the House. The House then adjourned.

**8th. DECEMBER** :—Under the existing law the right of sub-letting is given only to men in military service. The Government thought that the same right should also be extended to those in the police service and, accordingly, made a provision in the Tenancy Bill to-day. Mr. *Mubashir Hussain Kidwai* moved for the deletion of the provision relating to the police and this amendment was carried. But another amendment of his which wanted to extend the right to all Government servants was defeated, with the result that the proposed concession to policemen was also lost.

**9th. DECEMBER** :—Mr. *Bansgopal* moved to-day that the right granted to men in military service be also deleted. Nawab Sir *Mohmed Yusuf* protested against this injustice to those who were engaged in the defence of the country, and Messrs. *Farooqi* and *Zahoor Ahmed* also expressed the same view. Kunwar Sir *Maharaj Singh* held on the contrary, that policemen who served in the province and could attend to private affairs did not stand in the same category as soldiers, and that the Assembly had rightly omitted the grant of right to policemen; but it should retain the right enjoyed at present by soldiers.

The Premier, *Pandit Govind Ballabh Pant*, expressed surprise at the attitude of Nawab Sir *Mohammad Yusuf* who, as a member of the Rent and Revenue Committee, did not vote for the grant of right of sub-letting to soldiers. The Premier explained that military service was under the Central Government and the Ministry felt that the concession which was given to men in that service should be given also to the police which worked under the provincial Government. But the House having voted down the extension of right to policemen, there was strength in the argument that it be withheld from soldiers as well.

Mr. *Kidwai*, the Revenue Minister, replying to the debate, declared that his information was that people who joined the Army did not as a rule sub-let their holdings. He added that for the present the House should accept Mr. *Bansgopal's* amendment and at a later stage the Government would consider whether some agreed formula could be adopted so that small cultivators who took to the police and the Army as a career could receive the right of sub-letting.

The amendment was carried and Clause six as amended was passed.

After lunch the two main amendments moved by Nawab Sir *Mohammad Yusuf* on behalf of Agra zamindars and the other by Raja *Jagannath Baksh Singh* on behalf of the Oudh taluqdars on *sir* land, were defeated without a division.

**12th. DECEMBER** :—Five amendments to Clause 7 (a) of the Bill defining *sir* were discussed during the day and all of them were rejected by the House. Two of them sought to include within the definition land acquired as *sir* under the Agra Tenancy Act of 1926 or land which, but for error or omission, should have been recorded as *sir*.

Another amendment wanted to raise the limit of exemption regarding *sir* restrictions from a maximum local rate of Rs. 23 or land revenue of Rs. 250 to a local rate of Rs. 100 or land revenue of Rs. 1,000. In other words, the amendment urged that zamindars paying less than Rs. 1,000 as land revenue should be regarded as small zamindars. Some members of the Opposition drew the attention of the Government to the fact that the limit of exemption from agricultural tax in Bihar was upto Rs. 5,000. The Revenue Minister, opposing, said that the Government would bear this fact in mind when framing the Bill for agricultural tax.

**13th. DECEMBER :—**Three divisions took place to-day in connection with amendments to the Bill, in all of which the Government had a decisive majority. The Opposition did not challenge divisions in order to test their strength, but in order to assert their right. Another unsuccessful attempt was made today to make the Government change their arbitrary decision about small zamindars and big zamindars. An amendment was moved by a Muslim League member to the effect that zamindars paying a local rate of not more than Rs. 50 (or land revenue of not more than Rs. 500) should be regarded as small zamindars in connection with restriction of *sir* rights.

**14th. DECEMBER :—**An amendment of far-reaching significance was moved by a Muslim League party member today with a view to providing land for landless labourers, and it was strongly supported by member after member. They said it was the acid test of the Government's professed sympathy for landless labourers. Chapter and verse were quoted from the Congress agrarian committee's report in which it had been calculated that there were nearly 40 lakhs of landless labourers for whom some relief should be provided. The proposal put forward by the Opposition was that the land which would cease to be *sir* under the present Tenancy Act should be given to landless labourers of the village community after its relinquishment by non-occupancy tenants within three agricultural years.

'If even an amendment like this is not acceptable, it goes to prove without any doubt that your object is not what you profess it to be', said *Nawabzada Muhammad Liaquat Ali Khan*. 'Was it because they had no right to vote that no provision was made for them in the Bill?' This was the question put by *Mr. Ishaq Khan*. That the Congress sang a different tune when it came to the question of improving the economic condition of the poor people who had no vote was the criticism made by *Nawab Sir Muhammad Yusuf*.

Without accepting the amendment, the *Revenue Minister* announced a scheme to provide land for landless labourers in each village community. He promised to bring forward an amendment on behalf of the Government after consulting Opposition leaders, whereupon the amendment was withdrawn. The Minister's announcement gave satisfaction to the entire House.

The House passed today Clause 7 and began to discuss amendments to Clause 8 (a) dealing with demarcation of joint *sir*. Clause 8 however was adopted on the next day.

**16th. DECEMBER :—**Clauses 10, 11 and 12 of the Tenancy Bill were passed today. There remained 303 clauses yet to be discussed. The House discussed during the course of the day a number of amendments, which were either rejected or withdrawn. One of them urged that zamindars should have expropriatory rights in *sir* land, while another wanted that tenants should have hereditary rights in *sir* lands. The Government opposed the latter amendment on the ground that it sought to upset the basic principle of the Bill and the Muslim League party supported the Government.

**17th. DECEMBER :—**The final consideration of Clause 12 of the Bill was postponed in order that the wording of amendments adopted by the Assembly might be referred to the Law department. A new provision to Clause 13-A, dealing with the rights of certain tenants of *sir*, was added by the House to day on a motion made by the parliamentary secretary to the Revenue Minister, *Mr. A. P. Jain*. *Kunwar Sir Maharaj Singh* moved an amendment seeking to add another provision which urged that no hereditary rights should accrue in land which was *sir* before the Commencement of the Agra Tenancy Act of 1926 or the Oudh Rent Amendment Act of 1921. An objection was raised by the Revenue Minister to the consideration of this amendment on the ground that it was a negation of the amendment already accepted by the House in regard to hereditary rights for tenants. The Minister was also supported by his parliamentary secretary but their objection was not upheld by the Deputy Speaker. The amendment was discussed and rejected by the House.

**19th. DECEMBER :—**A number of clauses in Chapter II of the Tenancy Bill were passed to day in redrafted form. This related to (1) application for demarcation of *sir*, (2) demarcation of *sir*, (3) demarcation of *sir* in case of joint *sir* or Joint *Khudkashi* and (4) certain circumstances in which a *sir*-holder cannot eject his tenant. The last clause dealing with the rights of tenants of *sir* was also redrafted and it was under discussion when the House adjourned for the day.

*Raja Bisheshwar Dayal Seth* moved for the deletion of all these clauses one by one on the ground that they made unjustifiable encroachment on the *sir* rights of zamindars. He also took very strong objection to the unwarranted and arbitrary differentiation made by the Government between small landlords and big landlords and between one kind of *sir* and another kind of *sir*. As he himself said he was fighting for a principle. His plea for justice and fair play to zamindars in connection with their *sir* rights was no more than a cry on the wilderness and every one of his amendments was rejected.

**20th. DECEMBER :—**A point of constitutional interest was raised today by *Raja Bisheshwar Dayal Seth* whether the local Government and the local Legislature were competent to grant hereditary rights to tenants under the Government of India Act, 1935, in disregard of the sanads granted to Taluqdars by an authority superior to the local Government. In reply to the motion, Mr. A. P. Jain, Parliamentary Secretary made a strong attack on the Taluqdari system. He said that a vast majority of Taluqdars were parasites who were adding to the wealth of the nation but took away the hard-earned produce of tenants. He added that no argument that the Taluqdars held any rights under sanads would be of any avail to-day and they could not stifle the voice of the nation.

Clauses 13 F, 14, 15, 16, 17 and 18 of the Bill were passed by the House. In moving an amendment for the reduction of the period of tenure for sub-tenants under clause 13 F (2), *Nawab Sir Mohammad Yusuf* pointed out that any wild cat scheme for elimination of zamindars might be a vote-catching stunt but could not permanently solve the economic problem of the tenants.

**21st. DECEMBER :—**Mr. *Rafi Ahmed Kidwai*, Minister for Revenue, announced to-day an important scheme framed by the Government to provide land for landless labourers in villages. It was as follows :—

(1) A resident of a village who is neither a landholder nor tenant of any land may apply to the assistant collector in charge of the sub-division that he wishes to cultivate land in his village and on receipt of such application the assistant collector shall after satisfying himself by such enquiry as he thinks fit that the applicant intends to cultivate will proceed as follows :

(A) Allot to him land which is in the cultivation of a landlord assessed to more than Rs. 25 local rate.

(B) If no such land is available, allot to him land which is in the cultivation of a landlord assessed to Rs. 25 or less than Rs. 25 as local rate and who cultivates more than 20 acres.

(C) If no such land is available, allot to him land which is cultivated by a tenant who cultivates more than 20 acres otherwise than as a sub-tenant or a tenant of *sir*.

(D) If no such land is available allot to him waste land,

Provided that the assistant collector shall not allot to the applicant more than five acres of land :

(2) The applicant shall become a hereditary tenant of the land allotted to him under the provisions of this clause and shall be liable to pay such rent as the assistant collector may determine.

(3) In a case coming under clause (C) of subclause (1) the right of the tenant shall cease in the land allotted and the assistant collector shall determine the rent payable by him for the remainder of his holding.

(4) If in a case under clause (A) or (B) of subclause (1), the land allotted is *sir*, such land shall cease to be *sir*.

(5) No person shall apply under this section who might succeed to a tenancy under the provisions of sections from 30 to 33 or on whom a proprietary or under-proprietary right in the village might devolve.

A number of amendments were discussed and the Assembly then adjourned to Jan 3.

# The U. P. Legislative Council

Autumn—Session—29th. August to 3rd. September 1938

The autumn session of the U. P. Legislative Council opened at Lucknow on the 29th. August 1938, Sir Sita Ram presiding. There was a fairly good attendance.

The President announced the assent of the Governor to the Maternity Benefit Act and the Legislative Chambers (Members' Emoluments) Act. This was followed by the announcement by the secretary of the concurrence by the Assembly in the amendments made by the Council to the First Offenders' Probation Bill, the Borstal Bill and the Prisoners' Release on Probation Bill.

The secretary laid on the table various Bills passed by the Assembly in the last session and announced a message received from the Assembly regarding their disagreement with the amendments made by the Council to the Stamp Bill and the Court Fees Bill.

## REMOVAL OF CORRUPTIONS

**30th. AUGUST :—**Praise for the Government for taking up seriously the question of ridding the province of corruption and for Sir Maharaj Singh and other members of the corruption committee for their prompt work in producing an admirable report was showered from all sections of the House when the Council took up consideration of the report to-day.

Mr. Mohanlal Shah opined that those who rose from the ranks were generally more prone to corrupt habits than those directly nominated and pleaded for greater direct recruitment. He favoured appointments through the Public Services Commission. Mr. Ramchandra Gupta said corruption in the services was the darkest spot in public life. He was sure that corruption was rampant in every department though it differed in degree. He appealed to the Government to seek co-operation of the public to give effect to the committee's recommendations, so that they may not remain only a pious wish. Mr. Sherwani urged the abolition of honorary magistracies, as the institution was made for corruption. Mr. Chandrabhal (Congress) hoped the present Government would be more successful than the past Governments in their efforts to root out the evil. He suggested that the names of those officers found guilty of corruption should be published in the administration report and also that action should be taken against them. Chaudhury Akhtar Hussain challenged the representative character of the committee and held that it did not represent all shades of opinion, nor Government department.

The hon. Dr. K. N. Katju, replying to the debate, said that the question was under consideration of the Finance Department. He hoped the Council would not hesitate to sanction funds for it. He contended that it was not a question of public opinion on the subject, which was a legacy of the protracted foreign domination. Replying to the charge made regarding the anti-corruption drive against Muslims, he said the Government was not to be deterred from rooting out the evil by any body of communal considerations and appealed to members to give to the Government credit for disinterested public service. The House then adjourned.

## STAMP & COURT FEES BILLS

**31st. AUGUST :—**The first serious hitch between the two Houses of the Legislature occurred to-day when the Council refused to reconsider the various amendments made by it in its last session to the Stamp (Amendments) Bill and the Court Fees (Amendments) Bill, all of which had been negatived by the Assembly earlier in this month.

Each one of the amendments was most dispassionately considered, and the House saw no reason to reverse its previous verdict. In the circumstances, members of the Opposition resented the remark of the Minister of Justice that his arguments would not penetrate the walls behind which they were entrenched and that it was no use trying to convince them. Chaudhuri Akhtar Hussain made a spirited speech emphasising that the Minister's remark was uncalled for and was a great injustice to the Council. He added that the House was cooperating with the

Government to the very best of their reason. Otherwise, not a single clause in these two Bills would have been accepted by them.

In the absence of the Minister for Justice, Mr. *Lakshmi Narayan*, parliamentary secretary, spoke and expressed his sense of disappointment at what he characterized as the class spirit shown by the Opposition. There were three divisions in the course of the day, in all of which Government were defeated. The two Bills now went back to the Assembly prior to being placed before a joint session of the two Houses.

#### DEMAND FOR AYURVEDIC COLLEGE

**1st. SEPTEMBER :—**The House discussed non-official resolutions to-day. Mr. *Ratan Lal Jain* (Congress) moved a resolution recommending to the Government to start a first grade college at an early date at some suitable centre to impart higher education and training in the Ayurvedic and Unani systems of medicine. He drew attention to the scientific basis of these two systems which had the sanction of ages behind them and continued to be highly popular among the masses despite the fact that they had not been encouraged by the State since the advent of the British Government in India.

Rai Bahadur *Thakur Hanuman Singh*, leader of the Opposition, moved an amendment to the effect that training should be imparted in Hindi or Urdu, and pointed out that the products of the Medical College were not enough to provide medical aid to the people in rural areas. Further, far more was being spent on the salaries of allopathic doctors than on the purchase of medicines, and the system was not as beneficial as the indigenous system.

*Hafiz Muhammad Ibrahim*, Minister, detailed the help rendered by the Government to the various existing Ayurvedic and Unani institutions. A sum of Rs. 45,000 each was paid to the Benares and Aligarh universities, Rs. 10,000 each to two schools at Hardwar and Lucknow, Rs. 1,000 to an Ayurvedic institution at Jhansi and Rs. 49,500 to the Board of Indian Medicine, for encouragement to Vaidic and Hakim. The Minister added that recently the Government had decided to open a large number of indigenous dispensaries in rural areas and asked the mover to withdraw the resolution. The resolution was thereupon withdrawn.

#### GOVT. LOANS PAYABLE TO LOCAL BODIES

*Lala Mohan Lal Sah* moved the next resolution recommending to Government to withdraw the Government circular no. 229-11 59 F. I, dated March 18, 1938, relating to interest on Government loans payable by local bodies and to reduce interest on all loans to local bodies to 4½ per cent. per annum, unless such rate was lower.

*Hafiz Muhammad Ibrahim*, Minister, said that the present rates of interest were so favourable that he personally would have liked to pay off all loans that the local Government took for irrigation projects but unfortunately it was not open under the Niemeyer Award. The local Government gave loans to local bodies from borrowings from the Government of India and the rate of interest charged was the rate prevailing at the time when the loans were taken.

The resolution was rejected without division.

#### PRIVILEGES OF MEMBERS

Mr. *Ram Chandra Gupta* moved a resolution recommending to the Government to bring a bill defining the privileges of the members of the legislature, the bill being drafted on the advice of a committee of the two Chambers. He pointed out that sec. 71 of the Government of India Act contemplated the enactment of such a bill.

The resolution was adopted and the House adjourned.

#### EMPLOYMENT STATISTICS

**2nd. SEPTEMBER :—**The hon. *Dr. K. N. Katju* moved an official resolution to-day recommending that the following matters enumerated in the provincial legislative list should be regulated in this province by an Act of the Central Legislature :— (1) Statistics of employment and (2) offences against and the jurisdiction and powers of courts with respect to the said Act of the Central Legislature. The Minister explained that in the month of May, 1937, the Government of India addressed the provincial Governments stating that the question of middle class unemployment was under consideration and that it was proposed to the central Government that statistics of unemployment should be collected but the Government of India preferred to

collect statistics of employment in the different branches of industry, which would indicate the limits of absorption in the different industries and other branches of employment. The provincial Governments agreed to necessary legislation being undertaken by the central Government which proposed that the enquiry should be confined to regulated factories, mines and railways. The Government of the United Provinces suggested that the statistics of employment should cover registered companies, bank associations, municipal and district boards, and Government department. These statistics would show the requirements in the different branches of employment. The provincial Government could amend the central legislation whenever occasion arose. The Minister thought that such statistics would serve a very useful purpose. The resolution was adopted after some discussion.

#### BILLS PASSED

The House passed into law four Bills within five minutes, there being no amendments tabled to them as they were of a non-controversial character. These Bills had already been passed by the Assembly. They were the Almorah Honorary Assistant Collectors Decrees and Orders Validating Bill, the Public Gambling (Amendment) Bill, the Bengal Regulation Repealing Bill and the Abatement of Rent Suits Bill. The Council then adjourned.

**3rd. SEPTEMBER :—**The Opposition was not alert to-day in challenging a division in time when the President declared that the motion made by Rai Bahadur Babu *Mohanlal* to refer to a select committee the Regularization of Remissions Bill was lost. Many of the members remained in the lobbies when the debate concluded, and those that remained, to quote the President, were looking at each other and at one another, but none of them stood up in time. A division was, however, challenged on the third reading of the Bill which was passed by the House by an overwhelming majority. A similar motion for reference to a select committee was made in respect of the Stay of Proceedings (Revenue Courts) (Amendment) Bill, which received no support from any section and was rejected without division. The Council was at this stage *prorogued*.

### Special Session—29th. Nov. to 5th. December 1938

The special session of the Council commenced on the 29th. November and continued till the 5th. December. As a mark of respect to the sacred memory of the late Rai Bahadur N. K. Mukherjee, M. L. A., Allahabad, Mahatma Hansraj, Maulana Shaikat Ali and Mustafa Kemal Atatürk, the Council adjourned to-day without transacting any business after the president Sir *Sita Ram* had paid an eloquent tribute to each of them on his own behalf as well as on behalf of the Council.

#### INCREASE IN SUGARCANE CESS

**30th. NOVEMBER :—**The entire business scheduled for this session of the Council was concluded to-day and the Government were confronted by an adjournment motion brought by Dr. *Ram Ugrah Singh* to discuss the failure of the Government to honour the undertaking given by the Minister of Justice in February not to increase tax under sec. 29 of the Sugar Factories Control Act beyond the limit of one pice per maund without the sanction of the legislature. Dr. Singh did not want that any democratic Government should have a right to impose tax without the sanction of the legislature and refused to withdraw his motion unless the Government brought forward the resolution for discussion during the present session. The *Minister for Communications* later agreed to the matter being discussed by the Council after the joint session and pointed out that he was not himself in a position to fix a particular date as the Minister of Justice was not here. He said that he could consult the Minister of Justice on his return today. The adjournment motion was thereupon withdrawn.

The House passed into law the Melas Bill and the Temporary Postponement of Execution of Decrees (Amendment) Bill.

The Council held a joint session with the Assembly from the 1st. to 5th. December to discuss and pass the Stamp and Court Fees Bills \* and then reverted to its own business when by a majority of eighteen to nine votes it

\* For proceedings see Assembly Section p. 134.

turned down the Government resolution sponsored by Dr. *Katju*, Minister of Justice and Development, seeking the approval of the House for the levy of cess at the rate of half an anna per maund on sugarcane entering the local areas comprised in vacuum pan sugar factories in the U. P. for consumption, use or sale therein for the cane-crushing season of 1938-39, and carried the amendment that the cess be three pies instead of six pies.

The House then passed into law the Rent and Revenue (Relief) Bill transmitted from the Assembly without any amendment and was adjourned *sine die*.

### **Bills passed by the Assembly in 1937**

The following eleven Bills which were passed by the Assembly during the year 1937 received the assent of His Excellency the Governor and became Acts.

The United Provinces Ministers' Salaries Act laid down that Ministers should be paid Rs. 500 per mensem and be entitled to free residence.

The United Provinces Legislature (Officers' Salaries) Act laid down the salaries of the Speaker, Deputy Speaker, President and Deputy President and provided for a free residence for the Speaker.

The United Provinces Parliamentary Secretaries (Removal of Disqualification) Act enabled salaried Parliamentary Secretaries to continue to be members of the Provincial Legislature.

The United Provinces Municipalities (Amendment) Act postponed the general municipal elections at Naini Tal and Mussoorie in view of the pending revision of the Municipalities Act.

The Agra Tenancy (Amendment) Act enabled tenants in certain permanently settled areas to sue for abatement of rent and extended the period for instituting these suits.

The United Provinces Entertainments and Betting Tax Act imposed a tax on amusements and betting on the lines of the Acts in force in Bengal, Bombay and the Punjab.

The United Provinces Agriculturists' Relief (Amendment) Act provided for the levy of court fees on plaints and applications under the original Act.

The United Provinces Muslim Waqfs (Amendments) Act was passed to legalize the appointments of Provincial Commissioners of Waqfs.

The Temporary Postponement of Execution of Decrees Act was subjected to certain amendments as a result of discussion. Its object was to prevent agriculturists from being compelled to pay up amounts which they could not really afford to pay, or which it was inequitable that they should be called upon to pay pending legislation on the subject. The Act provided that the execution of certain types of decrees against agriculturists should be postponed as a temporary measure.

The most important Act passed, and the only one which provoked lively discussion, was the United Provinces Stay of Proceedings (Revenue Courts) Act (No. IV of 1937). On assuming office the Congress Government had stayed various revenue proceedings in order to protect cultivators. These orders had been attacked as being illegal, and legislation was therefore introduced to legalize the position. Some concession was made to the interests of the zamindars, and the Bill was slightly more favourable to them than were the stay orders. Accordingly the zamindars, while disapproving the principle of the staying of proceedings, were not anxious to vote against the Bill. The Bill provided for the stay of all original suits for arrears of rent prior to 1344 B.S. and provided for the stay of other proceedings including ejectment. The zamindars generally urged that it was inequitable to stay the proceedings of rent realization while no steps were being taken to stay the realization of revenue or to refund revenue that had already been paid. The Bill was eventually adopted *nem con*. Subsequently certain defects which were brought to the notice of Government were removed in the United Provinces Stay of Proceedings (Revenue Courts) (Amendment) Act (No. VI of 1937).

### **Bills Passed by the Council in 1937**

The Council passed 11 official Bills during the year, all of which had been transmitted by the Assembly after having been passed by that House.

The United Provinces Legislature (Officers' Salaries) Bill was, in the first instance, passed by the Council with an amendment seeking to reduce the salary of the Deputy Speaker from Rs. 2,000 to Rs 1000 per year, but as the Assembly did not agree to this change the Council acquiesced to the original proposal.

The United Provinces Stay of Proceedings (Revenue Courts) Bill, the temporary Postponement of Execution of Decrees Bill, and the United Provinces Entertainments and Betting Tax Bill evoked considerable interest and were agreed to by the House after prolonged discussion. Three non-official Bills were introduced to amend the United Provinces Encumbered Estates Act and one to amend the United Provinces Agriculturists' Relief Act.

### Bills Passed by the Assembly in 1938

The United Provinces Borstal Bill which was introduced in the Assembly on the 25th. January, 1938, was considered and passed on the 20th. April. It provided for the establishment of one or more Borstal Institutions for the segregation and reformation of adolescent offenders. The other cognate Bills namely, the United Provinces First Offenders' Probation Bill and the United Provinces Release of Probation Bill were also passed on the same date. The former made provision for the release of certain offenders under certain conditions while the later empowered criminal courts to send certain offenders to Borstal Institutions and also empowered the Provincial Government to release certain prisoners on certain conditions. The amendments to all these three Bills made by the Legislative Council were agreed to by the Legislative Assembly in August, 1938.

The United Provinces Legislative Chambers (Members Emoluments) Bill introduced on the 1st March, 1938, was passed on the 25th April, 1938, after much discussion. It provided salaries and travelling allowances of the members of both the Chambers of Provincial Legislature.

The United Provinces Maternity Benefit Bill seeking to give effect to the recommendations of the Royal Commission on Labour in India in respect of maternity benefit was passed on the 27th April, 1938.

The two taxation measures, namely, the Court Fees (Amendment) Bill and the Stamp (Amendment) Bill which were introduced in January, 1938, were considered and passed by the House after an interesting debate on 5th and 26th April, 1938. These Bills were passed with certain amendments by the United Provinces Legislative Council which were acceptable to the Legislative Assembly. Both these measures were however passed, as originally adopted in the Assembly, in a joint sitting of the United Provinces Legislature in the first week of December, 1938.

The United Provinces Land Revenue (Amendment) Bill was also passed on 26th April, 1938. It provided that in the course of revision under settlement proceedings the rents of heirs of statutory tenants could be abated in the same manner as those of statutory tenants under the Amendment Act of 1936.

The most important Bill during this period was the United Provinces Tenancy Bill which was introduced in the Assembly on the 26th April, 1938 and which was referred to a select committee to report thereon. It provided for relief to the over-burdened tenantry. The Bill is at present under consideration in the United Provinces Legislative Assembly.

The Trade Disputes Conciliation Bill introduced in the Assembly on 22nd January, 1938 was withdrawn by the Hon'ble the Minister of Justice on October, 1938 with an assurance that a more comprehensive measure would shortly be introduced on the subject.

The Lucknow University Act (Amendment) Bill, the Hindu Dharamdaya Bill, the United Provinces Shops Bill, the United Provinces Agricultural Produce Market Bill, the United Provinces Trade Union Recognition Bill and the Allahabad University Act (Amendment) Bill, all introduced on the 3th April, 1938, were either in circulation stage or in a later stage.

The Assembly passed during its August session the Almora Honorary Assistant Collectors's Decrees Validating Bill, a Bill to extend the period for the institution of suits for abatement of rent in certain permanently settled areas, the Public Gambling (Amendment) Bill, the United Provinces Stay of Proceedings (Revenue Courts (Amendment) Bill, and the United Provinces Regularization of Remissions Bill. The

United Provinces Encumbered Estates (Amendment) Bill was referred to a Select Committee to report thereon.

The Assembly passed the United Provinces Molas Bill in its October session and also the United Provinces Temporary Postponement of Execution of Decrees (Amendment) Bill.

### Bills Passed by the Council in 1938

The following fifteen official Bills were received in the Legislative Council, after having been passed by the Legislative Assembly :

- (i) The United Provinces Court of Wards (Amendment) Bill.
- (ii) The United Provinces Maternity Bill.
- (iii) The United Provinces Land Revenue (Amendment) Bill.
- (iv) The United Provinces Borstal Bill.
- (v) The Prisoners' Release on Probation Bill.
- (vi) The United Provinces First Offenders' Probation Bill.
- (vii) The United Provinces Stamp (Amendment) Bill.
- (viii) The United Provinces Court-Fees (Amendment) Bill.
- (ix) The United Provinces Legislative Chambers (Members' Emoluments) Bill.
- (x) The Almorah Honorary Assistant Collector's Decrees and Orders Validating Bill.
- (xi) The United Provinces Public Gambling (Amendment) Bill.
- (xii) The Bengal Regulation Repealing Bill.
- (xiii) The United Provinces Abatement of Rent Suits Bill.
- (xiv) The United Provinces Regularization of Remissions Bill.
- (xv) The United Provinces Stay of Proceedings (Revenue Courts) (Amendment) Bill.

The Council passed all the Bills without amendment except the three (iv) to (vi) relating to prison administration, and the two (vii) to (viii) relating to the amendment of the Stamp and Court-Fees Acts, which were agreed to with certain amendments. The Legislative Assembly, however, concurred in the amendments made by the Council to the former three, viz. (iv) to (vi) but did not agree in respect of the amendments to the latter two, viz. (vii) and (viii). The Council, even on reconsideration, adhered to their original amendments to the Stamps and Court-Fees Bills, to which the Assembly again refused to agree. There were no non-official Bills during this period.

### Resolutions passed by the Council in 1938

The only official resolution which related to the regulation of the statistics of the employment by an Act of the Central Legislature, was adopted by the Council without much discussion. The Council also adopted two non-official resolutions, (i) recommending to Government to bring up a Bill defining the privileges of the members of the Legislature, and (ii) regarding the zamindars and taluqdars in the United Provinces being owners of land and not merely rent-collectors or *thekedars*. Three more non-official resolutions were brought up, the first of which regarding starting of a first-grade college for training in Ayurvedic and Unani systems of medicine was withdrawn by the mover, the second regarding reduction in the rate of interest on loans to local bodies was lost and the third regarding appointment of a committee to inquire into the administration of the Agra University was not moved.

# The Bombay Legislative Assembly

Autumn Session—Poona—17th. August to 17th. November 1938

## DRAFT RULES OF PROCEDURE

The autumn session of the Bombay Legislative Assembly commenced at Poona on the 17th. August 1938 with Mr. G. V. Mavlankar in the chair and continued for the next three months with short breaks till the 17th. November.

The major portion of the time today was occupied by the consideration of the draft Rules of Procedure in the Assembly, which were submitted by the hon. Mr. B. G. Kher, Prime Minister. A keen debate ensued over the following sub-clause : "A recognised language means any one of the following languages, namely, Gujarati, Marathi, Kanarese, Urdu or Hindi Hindustani." Mr. Ali Bahadur Khan moved an amendment to the effect that in place of 'Urdu or Hindi Hindustani', the word "Hindustani" should be substituted. Mr. R. N. Mandlik moved an amendment to the effect that both Urdu and Hindi Hindustani should not be considered to be recognised languages of the Presidency. Mr. B. G. Kher, replying to the debate, stated that it was obvious from the debate that everybody was agreed on the language. The only difference was by what name that language should be called. The present was neither the occasion nor the time nor was the Assembly the place to settle and discuss communal questions. The lingua franca of India was going to be Hindustani, which could be written both in the Urdu and Devanagiri scripts.

Both the amendments were rejected and the original rule was adopted.

Mr. H. S. Jhabwalla's amendment to the effect that the Speaker, if he wanted to adjourn the meeting for more than seven days, should do so with the consent of the House instead of as provided, namely, by the consent of the Government or at the request of the Government. Mr. B. G. Kher opposed the amendment and stated that the Government ought to be there as the Government alone would know the volume of work that would be done by the Assembly, especially Government work. The amendment was put to vote and lost, Mr. Jhabwalla called for a division which resulted in 35 voting for the amendment and 61 against. The House then adjourned.

**18th. AUGUST :—**Whether it was democratic to give power to a few to move a "no-confidence" motion against the Speaker was discussed to-day. The proposed rule provided that at least 50 members should stand up in their places and support the motion of "no-confidence" in the Speaker, if leave to move it was to be granted. Mr. R. N. Mandlik moved an amendment, seeking to reduce the number from 50 to 40. Under the existing conditions, he agreed, when even Speakers were subject to party discipline or owed allegiance to a party, it was difficult to get enough number of members to stand up to support a "no-confidence" motion. The hon. Mr. B. G. Kher, Prime Minister, said that he was surprised at the arguments in the name of democracy. Would it be democracy to give power to a few to bring "no-confidence" motions whenever they liked, he asked. Mr. Kher said that he was surprised that for every small thing, democracy was being invoked and exploited. Where was the question of democracy in a "no-confidence" motion against a Speaker ? The amendment was rejected, 16 voting for and 66 against.

**20th. AUGUST :—**The Assembly to-day decided that at least two days should be allotted for non-official business for every fourteen days of Government business transacted. According to the original draft rules, the time for non-official business was to be decided upon by the Government for themselves. Sir A. M. K. Dehlavi moved an amendment to the effect that the Government should consult the Speaker before deciding upon the number of days to be allotted for private business.

A series of amendments were moved suggesting an increased number of days and more facilities to non-official business. Rao Bahadur Chitale suggested an amendment that, in view of the heavy business the present Government has to put through

in one complete session, no more than fourteen days should be allotted for transacting private business. Mr. B. M. Gupte moved an amendment on behalf of the Government that at least two days should be allotted for non-official business for every fourteen days of Government business. The hon. Mr. B. G. Kher, Premier, replying, stated that it was impossible to reconcile the various amendments from the Opposition, but the Government fully appreciated the Opposition members' viewpoint and hence sponsored Mr. Gupte's amendment which met the Opposition's viewpoint better than some of the Opposition amendments moved.

Three amendments were withdrawn and three others were thrown out and the amendment moved on behalf of the Government was carried.

**22nd. AUGUST :—**An attempt was made to curtail the powers of the Speaker to-day. The draft provision authorised the Speaker to have powers to give priority to any item of non-official business, notwithstanding anything contained in the previous rules already disposed of. Mr. A. V. Chitre moved an amendment for deletion of the provision. He said that the Speaker already had unlimited powers and extra powers contemplated by the provision were unnecessary. The hon. Mr. B. G. Kher assured the House that since the rule applied only to non-official business, there was no possibility of Government business getting priority. The amendment was lost.

Similarly, two other amendments were rejected by the House, one requiring that the Speaker should consult the House before giving such priority, and another seeking to do away with the system of ballot to decide about the relative precedence of resolutions for the Assembly, so that precedence may be determined by the order in which the resolutions were received in the office.

The rule regarding the language to be used by members on the floor of the House caused an interesting debate in the afternoon. The draft provision was that the business of the House be transacted in English but any member not acquainted, or not sufficiently acquainted, with the English language be permitted to speak in any regional language. Mr. Ali Bahadur Khan moved an amended amendment which read : "The business be generally transacted in English but any member who felt he was not acquainted or not sufficiently acquainted with English may speak in Hindustani, etc. Mr. B. G. Kher, expressing the views of the Government, said that the Government were in full sympathy with the Opposition members having Hindustani as the language of the Assembly. He felt that there would be complete liberty to speak in any language, but it should not contravene the provisions of the statute.

**23rd. AUGUST :—**The Assembly decided to-day that the business of the House shall be conducted in English, but if a member was unacquainted with or felt he was not sufficiently acquainted with English, he may address the House in any of the recognised languages of the province. Mr. Ali Bahadur Khan hoped that members of the Party in power would bring about a tradition so that there would be less speeches in English which was an emblem of slavery. He wished that Government encouraged the use of Indian languages in the House and thus help in circumventing Section 85 of the Government of India Act. The Hon. Mr. B. G. Kher said that members were not expected to use several languages and would ordinarily stick to one Indian when they were not acquainted or not sufficiently acquainted with English. He accepted the amendment with this understanding and the House thereafter adopted it and then adjourned.

**24th. AUGUST :—**The Opposition put up a stiff fight to-day against the curtailment of their rights in the matter of speech. Mr. Jamnadas Mehta moved an amendment to the effect that no such power should invest in the Speaker so far as Bills were concerned. Mr. S. H. Jhabwala, Mr. A. V. Chitre, Mr. S. L. Karandikar and Rao Bahadur Chitale spoke in favour of the amendment and argued that the Speaker should not have this power to stifle expression especially in view of several contentious measures like the Tenancy Bill coming before the House. The hon. Mr. B. G. Kher, Prime Minister, said that the speeches during the discussion on the draft rules amply justified the necessity of such a rule. If that were not there, he felt it would mean a curtailment of the powers of the Speaker and muzzling him instead of the Opposition. The amendment was lost by 23 to 60 votes.

#### COTTON GINNING & LAND ACQUISITION BILLS

The Assembly next passed the Bill to amend the Cotton Ginning and Pressing Factories Act, 1925, and the Bill to amend the Land Acquisition Act, 1894, both in their application to the Bombay Presidency.

## VILLAGE PANCHAYATS AMEND. BILL

**25th. AUGUST :—**The Bill, to amend the Village Panchayats Act was taken up for consideration to-day on the motion of Mr. *L. M. Patil*, Minister for Local Self-Government. The main feature of the Bill was to democratise the panchayats by the abolition of nominations but having reservation of seats for Muslims and Harijans. The Bill also sought compulsory establishment of panchayats in every village in the Presidency having a population of 2,000 and endowed the panchayats with powers to levy house tax and judicial powers. The tax levied could be paid either in money or in labour.

## DRAFT RULES OF PROCEDURE (CONTD.)

The Assembly then took up for consideration the draft rules of procedure. Mr. *Jamnadas Mehta* moved an amendment to the rule about questions and replies that a Minister in charge of the department should reply to questions within ten days of notice being received. Mr. *B. G. Kher* stated that since the present Government came into power answers were being given much quicker than in the past. The Government were making all possible arrangements to see that questions were disposed of as speedily as possible. The amendment was lost and the original rule carried.

**26th. AUGUST :—**Sir *A. M. K. Dehlavi* moved an amendment to-day that only twenty-five members need stand up in favour of an adjournment motion being discussed instead of thirty as provided in the draft rules. He said that party government made it difficult to get even thirty to stand up in favour of adjournment motions. He referred to the Congress discipline. Mr. *B. G. Kher* stated that the Government of Bombay was only trying to follow what was in vogue in the House of Commons regarding adjournment motions. The Premier remarked that it appeared it was a misfortune that the Congress Party should be organised and disciplined and that its members did not make lengthy speeches. The amendment was lost and the original rule was adopted.

## VILLAGE PANCHAYATS AMEND BILL (CONTD.)

The Village Panchayats Bill was next subjected to a critical examination by Mr. *Jamnadas Mehta*, when discussion on the motion for the first reading of the Bill was resumed. Mr. Mehta, while agreeing with the principle of the Bill, stressed its financial aspect and criticised the meagre financial provision made for panchayats. There would not be houses in the villages from which a good amount of house-tax could be realised. The provision of one fifth of the local Cess Fund would not bring even fifty rupees to each panchayat. Unless these were substantially changed for the better the Bill would be an eye wash. Mr. *B. K. Gaikwad*, while supporting the first part of the Bill which was of a constructive character, vehemently opposed the grant of judicial powers to the village benches. He was afraid that these powers would be used to the disadvantage of the scheduled castes. The House then adjourned.

**27th. AUGUST :—**Mr. *Ali Bahadur Khan*, whole-heartedly supporting the Bill to-day, referred to Mr. *B. K. Gaikwad's* (Scheduled Caste) criticism against the measure, and contended that the very grievances of the Scheduled Castes enumerated by Mr. Gaikwad would be eliminated by the measure in view of the fact that the Scheduled Caste members would have equal status and voice in the panchayats, thus creating an atmosphere against untouchability. He held that communal electorates in the villages of the presidency where Muslims were microscopic minorities would not be in the best interests of Muslims themselves. Mr. *S. L. Karandikar*, supporting the measure, pointed out that in introducing the measure for the growth and development of village panchayats it was the duty of a popular government also to eliminate the bad points in the system. He criticised the principle of compulsion in the Bill as every village panchayat would not be self-supporting. Mr. Karandikar had not concluded when the House adjourned till the 30th.

**30th. AUGUST :—**Sir *A. M. K. Dehlavi* criticised the Bill to-day and felt that the provisions of the Bill would be made use of by Congressmen to further Congress propaganda. He felt that it was absurd to pretend that there was no communal problem in the villages. He referred to the classes of cases the village panchayats were authorised to deal with and sarcastically suggested that there should be a

provision to enable the panchayats to try cases of "enticement of men and women from one political creed to another." Sir A. M. K. Dehlavi contended that villages were not ripe for the reform proposed by the Bill which would only increase litigations. Mr. *Morari Desai*, replying to the remarks, said that the opposition to the measure arose from the fact that the measure did not give quarter to communalism. He felt confident that the Leader of the Opposition would support the measure if separate electorates were introduced in village panchayat elections. Referring to the statement that villagers could not manage their affairs, Mr. Desai pointed out that the same was said about Indians' fitness to govern their own country. He testified to the so-called illiterate villagers' uncanny wisdom in dealing with cases coming before their panchayats. The House then adjourned.

**31st. AUGUST :—**The Assembly disposed of to-day all the draft rules of procedure of the Assembly excepting four. Further discussion on the first reading of the Bill to amend the village Panchayats Act was then resumed. Mr. *B. M. Gupta*, Parliamentary Secretary, said that it was the intention of the Government to establish village panchayats in every village of the Province. They would see to it that before long not a single hamlet was left without a panchayat. He quoted figures to show that from house tax the panchayats would be able to derive a considerable income. Besides these, the panchayats would retain for themselves the court fees which would be received by village benches. Mr. *H. H. Varale* was opposed to village benches being given judicial powers, as he felt that they would be used against members of the scheduled castes. Mr. *L. M. Shrikant* felt that communal feelings were being encouraged among Indians by an interested third party. It was for all communities to join together and to do away with that feeling in the national interest. Mr. *S. K. Jhabwala* held that the ideal type of village panchayat never existed in India, as these bodies from ancient times to the present were dominated by greedy exploiters. He wanted that these bodies should consist of representatives of the exploited cultivators and peasants. The House at this stage adjourned.

**1st. SEPTEMBER :—**The Assembly today referred the Bill to amend the Village Panchayats Act to a Select Committee. The motion for first reading was passed *nem con*. To-day's debate was monopolised by back-benchers on either side of the House and for the first time during this session two women members spoke. Mr. *L. M. Patil*, Minister for Local Self-Government, replying to the debate, stated that a new experiment was being introduced by the Bombay Government. The measure, he said, would sow the seeds of equality, fraternity and goodwill among villagers. He referred to the working of village panchayats in Mysore and Baroda States and said that they derived enough income to carry on their administration very well. He was confident that this would establish greater concord among the different communities.

#### THE TRADES DISPUTES BILL

**2nd. SEPTEMBER :—**Mr. *B. G. Kher*, the Prime Minister introduced to-day the Trades Disputes Bill. In doing so, he stated that the Bill was being introduced to implement that part of the Government's labour policy announced on August 17 last, which related to trade disputes. The Government were determined to pursue an active policy with a view to maintaining industrial peace in the Presidency and endeavouring all the time to see that the workers obtained a fair deal. It was the intention of the Government to promote legislation aiming at the prevention of strikes and lock-outs as far as possible. Mr. Kher added that since 1922 peace in the industry of the Province had been disturbed no less than twenty-one times by stoppages of a general character. The number of strikes and lockouts between 1921 and 1937 in the Province was 1,318 involving 1,934,908 persons causing a loss of 65,435,063 working days. "It means that there was one strike or lock-out every four days during these seventeen years. The brunt of this industrial unrest fell on this textile industry. The industry alone experienced 1,054 strikes or lock-outs involving 1,782,769 persons, causing loss of working time to the extent of 62,496,697 working days. The share of the textile industry in Bombay City was 469 disputes, 1,300,362 persons involved and 55,091,344 working days lost. It will be admitted that Bombay Province suffers from the disease in its most virulent form."

After Mr. B. G. Kher's speech, three members representing Labour and one representing the mill-owners spoke on the Bill after which the House adjourned.

**3rd. SEPTEMBER** :—Mr. *S. D. Saklatwala* (Bombay Millowners) welcomed the Bill so far as it sought to promote healthy trade unionism but he opposed a heavy machinery for conciliation or arbitration like an industrial court. Unless there was mutual understanding of difficulties and a spirit of compromise the root cause of industrial strife could not be removed. He suggested that the Bill should be so amended that outside agencies might not interfere. Mr. *Akhtar Hussain Mirza* (Moslem League), and Mr. *S. H. Jhabwala* (Bombay Labour), opposed the Bill. The House then adjourned till the 7th.

**7th. SEPTEMBER** :—Mr. *S. H. Jhabwala*, continuing his unfinished speech to-day, stated that the impression that self-seekers dominated the trade union movement was wrong. The workers were too clever for that. The principal underlying the Bill was vicious in that it gave scope for starting unions by employers themselves. Mr. *B. D. Lalla*, supporting the Bill, stated that opposition to the measure was based on sentiment and not on reason. The strike was not an absolute right and its use had to be guided by certain rules. The Bill sought to determine those rules. Khan Bahadur *Jan Mahomed* opposing the Bill, said that it was a regrettable fact that the Congress, which stood for the rights of the poor, have brought forward legislation to curtail the rights of workers. Mr. *A. V. Chitre*, opposing the measure, said that it aimed at the very root of trade unionism and it would be a blow to militant trade unionism in the Province. Mr. *Khandubhai Desai*, who represented Ahmedabad, stated that the Mazdoor Mahajan started by Mr. Gandhi in 1919 held an outstanding position and was a successful labour union in the country. The Mahajan had during the last ten years conducted 139 strikes, 124 of which were successful and 15 resulted in a compromise. None of them was a failure. But the unions in Bombay were interested in quarrelling with each other and hence were unable to attend to the grievances of the workers. That was the reason why the Bill had been brought to protect the interests of ignorant, unorganised workers. The House at this stage adjourned till the 9th.

**9th. SEPTEMBER** :—In a vigorous speech, lasting for over two hours, Mr. *Jamnadas Mehta*, representing Bombay Labour, subjected the Bill to a searching examination to-day. He advised the Government to drop the measure and bring forward another which would be in conformity with the International Labour Code. Mr. Mehta said that as the President of the Bombay branch of the All-India Trade Union Congress, he opposed the Bill on behalf of all the organised trade unions excepting the Ahmedabad Majdoor Mahajan. He characterised the Bill as premature and unnecessary and said that there was too much regimentation in it. By this Bill the Government would encourage the unions recognised by the employers and thus suppress real representative trade unions. It would enable the starting of artificial organisations with a view to the suppression of genuine labour organisations and it would stifle the growth of the trade union movement. Mr. *Ismail Chundriyar* (Muslim League), also opposing the Bill, said that the measure would kill the trade union movement which was in its infancy in India, and it was a pity that the Congress Government had brought forward a measure which instead of coming to the rescue of the workers further strengthened the hands of the employers. Mr. *G. H. Cooke* (Bombay Chamber of Commerce) supported the principle of the Bill, which he said would hold the balance even between capital and labour. He quoted Mr. Gandhi's views on the subject of ideal relationship between capital and labour that "capital and labour should be mutual trustees and both will be trustees of consumers." The House then adjourned.

#### DRAFT RULES OF PROCEDURE (CONTD.)

**10th. SEPTEMBER** :—The House resumed to-day the discussion on the remaining four draft Rules of Procedure when an amendment moved by Mr. *Jamnadas Mehta* was carried with 'ayes' from only about one-third of the House, the entire Congress block and the Muslim League block remaining silent. Mr. Mehta's amendment sought to introduce to a certain extent the practice prevailing in the House of Commons by reserving at least three hours at the end of every session for the discussion of a motion relating to a matter of general public importance, without a vote being taken on it, that motion to be first admitted by the Government. Some difference of opinion was revealed between the mover and Mr. *A. M. K. Dehlavi*, Leader of the Opposition, as to the purpose

of such a motion. The Prime Minister, the hon. Mr. B. G. Kher pointed out that the Government had accepted the amendment on condition that it was unanimously agreed to by all parties of the Opposition, but the Government might have to change their mind if it was not so.

The *Speaker* put the amendment to vote and declared it carried.

The House then resumed discussion on the first reading of the Trades Disputes Bill. Mr. S. K. Patil (Congress), supporting the Bill, admitted that the present trade union movement in India was in its infancy. But unfortunately it was also running on wrong lines and the measure before the House sought to put the movement on right lines, so as to permit the healthy growth of trade unionism in India. The Congress, more than anybody else, was interested in the robust growth of trade unionism, and it seriously believed that its goal could not be achieved without a strong workers' movement in the country. Mr. Patil had not concluded when the Assembly rose for the day.

#### INSULT TO CONGRESS FLAG

**12th. SEPTEMBER :—**The question whether the Congress tricolour flag could be called the national flag was raised Mr. S. K. Karandikar (Ratnagiri) who moved for the adjournment of the House to-day to discuss the alleged insult to the "National Flag" by the police patrol at Mohadi Village in Dhulia district of Khandesh. According to the mover, at the time of His Excellency the Governor of Bombay's visit on August 25, the police patrol pulled down the tricolour flag from the house of the president of the local Congress Committee and tore it to pieces. Mr. Karandikar said his object was not to censure the Government but to urge it to take steps so that such incidents did not recur. Mr. K. M. Munshi, Home Minister, replying said that the Government had ordered an inquiry into the matter and there was no difference of opinion on the question respecting the national flag. He agreed that lower officers had not yet fully realized the change in the Government but he hoped the time would come when such incidents would not happen. Mr. Karandikar thereupon withdrew the motion.

#### THE TRADES DISPUTES BILL (CONTD)

Resuming discussion of the Trades Disputes Bill Mr. S. V. Parulekar, criticizing the Bill, described it as wicked, tyrannical and diabolical. He said that the Bill stood for the *status quo* which meant misery, disease and the death of workers. Instead of promoting social and industrial peace the measure would create social strife. Mr. S. K. Patil stated that the measure would stop the growth of mushroom trade unions promote healthy competition, remove bitterness and rivalry, promote peaceful settlement of disputes and reduce unemployment. The House then adjourned.

**13th. SEPTEMBER :—**A suggestion that the Government should agree to amend those provisions of the Bill to which objections had been taken by four leaders was made by Rao Bahadur G. K. Chitale. He felt that the present measure before the House was a step in advance of the 1934 Act. He was convinced that labour till now was being exploited by a certain type of leaders and suggested that there should be provision in the Bill for the creation of labour leadership. Mr. Sakarlal Balabhai, while supporting the measure, criticised certain provisions. He was constrained to remark that the Government had discarded all the fundamental principles of justice and equity.

#### LATHI CHARGE ON BOMBAY WORKERS

An adjournment motion was next moved by Mr. Jammadas Mehta to discuss the lathi charge by the Bombay police on the workers picketting the Bradbury Mills on September 5. This was lost by 25 votes against 75. Mr. Mehta maintained that the police had no right to interfere with peaceful picketing resorted to by the strikers. It was the action of the police in firing in the air that created panic and provoked the workers. The police had no business to interfere to protect blacklegs and make a lathi charge on the strikers, resulting in seven of them being wounded.

Mr. Munshi, replying on behalf of the Government, traced the history of the Bradbury Mill strike and stated how a campaign had been going on for some time with the ultimate object of bringing about a general strike and frustrate the passing of the Trades Disputes Bill. The Home Minister declared that the police were bound

to protect blacklegs as much as they were bound to protect the strikers, as it was their duty to protect the civil liberties of the citizens and their right to work.

#### THE TRADES DISPUTES BILL (CONTD.)

**14th. SEPTEMBER** :—The hon. Mr. K. M. Munshi, Home-Minister resuming discussion on the Bill to-day said that time and again the Congress Election Manifesto had been invoked by members of the Opposition. He said that the Congress stood by every word in that document, which was sacred to every Congressman. They were doing their best to implement the declarations in that Manifesto as far as it was possible, with the limited power they possessed. He denied that the Bill took away the right to strike from the workers, and added that what the Bill sought to take away was the right to bring the issue by slogans, protest meetings and processions. It sought to introduce the rule of law, where the law of the jungle existed. The Bill had been brought solely in the interests of the workers to prevent their exploitation for political purposes. Sir A. M. K. Dehlavi said that what the Government was doing was quite different from what they had stated in their programme. Capitalists had helped the Congress in the past and they were bound to have a soft corner for capitalist interests. He felt that the provisions of the Bill could be improved and the objections of labour leaders met to a certain extent. The House at this stage adjourned.

**15th. SEPTEMBER** :—Dr. B. R. Ambedkar, Leader of the Independent Labour Party analysed to-day the various provisions of the Bill to prove that they were detrimental to the interests of workers. He said that the Bill sought to divide unions into slave and free unions and encourage the former at the expense of the latter. Mr. Gulzarilal Nanda, Parliamentary Secretary in charge of labour, replying to the criticism said that 23 out of 38 labour associations which had sent their views on the Draft Trade Disputes Bill strongly favoured compulsory conciliation before direct action was resorted to. He claimed that the measure was designed in the interests of the workers.

**16th. SEPTEMBER** :—The Assembly to-day passed by 90 votes to 35 the first reading of the Bill. Mr. B. G. Kher, Premier, stated that those members of the Opposition who resorted to ineffective abuse and ridicule had not opposed the Bill but opposed the Government. If they had paid more attention to the study of the Bill matters would have been different. The Government, which was attacked by the Opposition members as not being sympathetic towards the workers, were responsible for benefitting the workers to the extent of a crore of rupees annually through increase in wages. In view of the miserable plight of workers the Government had thought it necessary to establish some machinery which would exhaust all other sources of settlement of disputes before the workers resorted to a strike or the employers declared a lock-out. He did not claim that the Bill before the House was perfect and he was prepared to accept suggestions for amending those clauses of the Bill which were considered to be injurious to the interests of workers.

**17th. SEPTEMBER** :—Mr. B. G. Kher moved to-day that the Bill be read a second time. Mr. Jumnadas Mehta suggested that the Bill be circulated for eliciting public opinion till December. Mr. K. G. Kerson moved that the Bill be referred to a select committee for consideration and report within one month. Mr. S. V. Parulekar and Mr. Ali Bahadur Khan and Mr. S. H. Jhambhalla supporting the motion for circulation contended that the Bill should be placed before workers whom it primarily concerned. Mr. Kher, replying, stated that the labour leaders had been changing views very rapidly. They supported the principle of compulsory conciliation but were now opposing the Bill.

Mr. Mehta's amendment suggesting circulation was lost by 71 votes to 21, and another one for the select committee was lost by 70 to 19 votes. The second reading of the Bill was passed by 70 votes to 22.

**19th. SEPTEMBER** :—There were six divisions during the discussion of the Bill which was gone into clause by clause to-day. Two clauses and twelve sub-clauses of the third clause were disposed of at the end of the day. The first clause

referred to the short title of the measure. Mr. *Jamnadas Mehta*, Mr. *S. H. Jhabwala* and Mr. *S. V. Parulekar* were the principal speakers.

**20th. SEPTEMBER :—**Considerable opposition was put up to day by representatives of labour against the provision for starting occupational unions. It was contended by Mr. *Jamnadas Mehta*, Mr. *S. V. Parulekar* Mr. *S. H. Jhabwala* and Mr. *R. A. Khedgikar* that the provision would lead to a division in labour ranks. Though the Government conceded the workers' right to strike, no united action was possible in view of the divisions in a single industry. Therefore they wanted the provision to be deleted. The hon. Mr. *K. M. Munshi*, replying on behalf of the Government, opposed the amendment, and said that this provision would not prevent members of occupational unions becoming members of Industrial unions also. The clause only sought to see that people working in a certain occupation in different places organised themselves. Besides, occupational unions did not come in the way of any one organising industrial unions because no occupational union which did not have a membership of fifty percent of the entire number working in that occupation would be registered under the Act. The amendment was put to vote and was lost by 57 votes to 23.

An amendment to remove the provision for a Labour Officer was moved by Mr. *Jamnadas Mehta* who contended that there was absolutely no need for such an officer. After half an hour's discussion the amendment was thrown out by 63 votes to 19. The House then adjourned.

**22nd. SEPTEMBER ;—**The House had before it a sub-clause providing that a worker must pay minimum of one anna per month to the Union to be entitled to be called a member. Messrs. *Jamnadas Mehta* and *R. A. Khedgikar* moved amendments to the effect that the matter of fixing membership be left to the Trade Unions. It was argued that a majority of members could not afford to pay one anna membership fees. Mr. *Ali Bahadurkhan*, opposing the amendment, said that in ninety per cent of the cases membership of a union was bogus. The unions did not have enough money and got it either from capitalists or from Moscow. Mr. *Jamnadas Mehta* indignantly repudiated the suggestion of Mr. *Ali Bahadurkhan* and condemned his attack on Trade Unions in India. Mr. *Mehta* argued that workers could not afford to pay one anna subscription. The hon'ble Mr. *K. M. Munshi*, replying on behalf of the Government, said that minimum membership had been prescribed to see that the legislation under discussion was not defeated. He argued that payment of one anna per month as earnest of interest in trade unionism would not be a hardship on workers. The amendment was lost by 67 votes to 21.

Mr. *Jamnadas Mehta* and Mr. *R. A. Khedgikar* moved amendments to the effect that the provisions for starting different types of unions and creation of the post of a registrar should be deleted. The hon'ble Mr. *K. M. Munshi* stated that there seemed to be some misunderstanding about registered and other types of unions. At no stage could there be two different unions functioning on the same level in the same area. All amendments were pressed to a division and lost. In all, there were seven divisions to-day on several sub-clauses of clause 3, discussion on which had not concluded when the House adjourned.

**23rd. SEPTEMBER :—**Mr. *Jamnadas Mehta's* amendment to-day wanted, instead of the provision in the Bill as to who shall be the representative entitled to be present on behalf of the workers at conciliation proceedings, that it be provided that any union which has a member affected by a dispute subsequently be entitled to be the representative. The question was argued at length. When the amendment was carried to a division it was defeated by 74 to 21 votes. Mr. *K. M. Munshi*, Home Minister, replying, said the object of the Opposition members, who moved the amendments, seemed to be to sabotage the measure by attacking it in different stages.

**24th. SEPTEMBER :—**The House had before it to-day an amendment moved by Mr. *Jamnadas Mehta* which sought to remove the ban imposed on outside labour leaders being elected by the workers concerned in any dispute to represent their case before the Conciliation Board. This ban applied only to those cases where there were neither registered nor representative unions entitled to represent the workers' cause and they had to elect five representatives afresh to fight out their case.

Mr. S. H. Jhabwala, Sir A. M. K. Dehlavi and Mr. S. V. Parulekar argued that the labour movement was still in its infancy. The workers were unable to elect representatives from among themselves to represent their case effectively. With the fear of possible victimisation by employers they could not be expected to place their case before the Conciliation Board.

**26th. SEPTEMBER :—**Clause three dealing with definitions was disposed of to-day. The House approved of two more clauses of the Bill which dealt with the appointment of a Registrar of Trade Unions and recognition by him after some enquiry of a certain section of the industry as an occupation. Mr. Jamnadas Mehta, who moved an amendment to the effect that instead of a Labour Officer a representative of the Provincial Trade Union Congress should appear before the Conciliation Board in the absence of trade union officials, said that the Trade Union Congress in Bombay was most representative of workers. Mr. K. M. Munshi said that during the last elections it had been proved that workers were not for the Trade Union Congress by the fact that the candidate of the Provincial Trade Union Congress was defeated. If necessary, the Congress in the city of Bombay would accept Mr. Mehta's challenge and show that the workers were not with the Provincial Trade Union Congress. The amendment was lost by 56 votes to 26.

Another amendment which sought to remove the ban placed on outsiders from being elected by workers to represent them before a Conciliation Board was also defeated by 58 votes to 21. There were three other divisions on the clauses dealing with Registrar and recognition of an occupation. By a large majority the original clauses were approved.

**27th. SEPTEMBER :—**Mr. S. V. Parulekar, speaking on his amendment to-day, argued that if recognition of trade unions by the employers were to be insisted upon by the measure, the required minimum membership of five per cent should be raised to forty per cent. Otherwise, he expressed the fear that these unions would be "slave unions". In support of his argument, he began reading quotations from books. On a point of order from the Home Minister, the Deputy Speaker, Mr. Narayan Rao Joshi ruled that a general discussion on class antagonism would not be relevant to a discussion of the clause and the amendments before the House which referred only to recognition and registration of the trade unions. The discussion on the clause and amendments had not concluded when the House rose for the day.

**29th. SEPTEMBER :—**The registration of trade unions and the cancellation of registration under certain conditions were the subject of debate to-day. The House accepted after some discussion by 70 votes to 16 the amendment of Mr. B. M. Guppte, Parliamentary Secretary, that the Registrar shall not register any union if in a particular local area there is already in existence a qualified union. It also laid down that he shall not register any union if after an enquiry he found it was being registered in the interests of employers and not employees. Mr. S. H. Jhabwala moved that the clause providing for cancellation of registration on an application by a rival union or an employer be amended so that an employer shall not have the right to apply for cancellation. After discussion, the amendment was rejected by 67 votes to 16. On the next-day, the 30th. September, the House agreed after considerable discussion to provisions for cancellation of registration of recognised qualified Unions under certain conditions, and registration of Unions having larger membership than that of already existing Unions.

**1st. OCTOBER :—**Mr. Jamnadas Mehta complemented the Home Minister to-day on the amendment moved by the Government to increase the percentage of membership of a union to be recognised by an employer, to make it representative, from twenty to twenty-five. On this amendment there was difference of opinion for the first time between labour leaders. Mr. R. A. Khedgikar opposed the amendment, which was carried without a division. Discussion of the clause providing for the registration of unions whose registrations had been cancelled under certain circumstances had not concluded when the House rose for the day.

**7th. OCTOBER :—**Three important clauses of the Trades Disputes Bill dealing with the Board of Conciliation, court for industrial arbitration and powers and duties of Labour Officer were disposed of by the Assembly to-day. There was a prolonged debate

on the question of the powers to be conferred on the Labour Officer. All the labour leaders put up a vehement opposition to these powers, which they contended were not disclosed in the Bill, being conferred on the Officer. Mr. B. G. Kher said that the labour leaders were either ignorant of what the clause sought to do, or were deliberately misrepresenting with a view to prolonging the debate. The powers sought to be conferred were not anything new. They were already there in the Act of 1934. If it was found that the Labour Officer misused those powers, the Government would take prompt action. These powers would be used by the Labour Officer only to examine housing conditions of workers. He was confident that the Labour Officer would be welcomed by the workers.

**8th. OCTOBER :—**The provision that a settlement of the standing orders about the conditions of work made by the Commissioner of Labour after consultation with the workers' representative may not be altered for at least a year was debated to-day. Mr. Jamnadas Mehta moved an amendment to the effect that such settlement should be binding on workers only for six months and not for a year as provided. Mr. S. V. Parulekar moved an amendment to the above amendment to the effect that the settlement should be binding only for a single day and no more. The Hon'ble Mr. B. G. Kher said that the provision for standing orders was there even at present. Government had provided in the Bill that the Labour Commissioner should consult the workers before finally settling the standing orders. Should not those orders be binding at least for a reasonable period? Government considered that the period should be one year. To prove the bonafides of Government he was prepared to accept six months as required by Mr. Mehta's amendment. Mr. Parulekar's amendment was lost by 19 votes against 54. Mr. Jamnadas Mehta's amendment was carried without a division. The amended clause was carried by 12 votes to 22.

**11th. OCTOBER :—**Provisions for a review of the decisions of the Commissioner of Labour and the Conciliation Board by an industrial court and requiring either of the parties to a dispute to give notice of intended changes in conditions of work before actually bringing about the changes were approved during discussion to-day. One of the main planks in the attack against the Bill by labour leaders had been that it provided not only for declaring strikes illegal but also for sentencing workers who struck work to imprisonment of either description for a period of six months, apart from fines that could be imposed. Mr. Gulzarilal Nanda, Parliamentary Secretary, had given notice of an amendment which sought to do away with imprisonment altogether. It also provided that the fine should not exceed Rs. 25, but if a worker, after one conviction, continued the strike, he would have to pay Re. 1 a day fine for each day he is on strike subject to a maximum of Rs. 50.

#### CONFISCATED LANDS BILL

**12th. OCTOBER :—**The Revenue Minister, Mr. Morarji Desai introduced to-day a bill to provide for restoration of lands forfeited during the civil disobedience movement for non-payment of land revenue and other sums due to Government. The Bill sought to carry out the resolution passed by Both Houses of the Bombay legislature in September last year authorising the Government to repurchase land and immovable property attached and sold in consequence of its owners' participation in Civil Disobedience movement. The Bill with its fourteen clauses laid down the manner in which value of these lands could be assessed, regard being had to the fact that they were purchased much below the market values.

After a point of order was ruled out of order by the Speaker, the Revenue Minister moved the first reading of the Bill. He said that Congress Ministry was bringing the Bill to fulfil one of its main pledges in election manifesto. Government considered it their bounden duty to return these lands to their owners. Having regard to truth and non-violence Government had tried to carry this object out by private negotiations but egged by mischievous propaganda the present owners of land were demanding fancy prices and hence Government had to bring forward this legislation. It was in fitness of things that those who bravely and heroically suffered for the cause of country's freedom regained what they had lost as a result. Mr. Desai stated that 4,875 acres of land, assessed at Rs. 22,312 had been confiscated by the then Government during the Civil Disobedience movement. Of this land the Congress Ministry had repurchased 919 acres assessable at Rs. 4,648 after the resolution was passed by the legislature.

**13th. OCTOBER :—**The Assembly carried by an overwhelming majority to-day the first reading of the Bill. The division challenged by the Opposition on this motion resulted in 74 favouring it as against 34. The *Revenue Minister*, replying to the debate and especially to the cry of 'democracy in danger' raised by the Opposition, gave a straight negation to it. He said that the Congress knew full well the sort of democracy that prevails in the country that rules India. But Hindus and Muslims living in this country knew what Democracy was and enjoyed it long before the Western nations knew what it was. After the first reading was over the *Speaker* ruled out as frivolous the amendments to call the Bill Political Favouritism Bill.

**15th. OCTOBER :—**The Hon. Mr. *G. V. Mavlankar*, the *Speaker* resorted to making members stand from their seats in favour or against the clause or amendment when further discussion of the Bill was resumed to-day. Three clauses of the Bill provided for agreement between representatives of employers and employees about the change in the conditions of work, labour officer taking consent of workers for any agreement that he might come to with employers when he is the sole representative of employees, and the date as to when the agreement was to come to force, were discussed and passed to-day. The House then adjourned till October 28.

#### THE TRADES DISPUTES BILL (CONTD.)

**28th. OCTOBER :—**The House re-assembled to-day and continued discussion on the clauses of the Trades Disputes Bill till the 31st. The debate was uneventful and the House made very slow progress. The House then adjourned till the 1st. **November** when it sat for eight and half hours to dispose of five of the most important clauses of the Bill, relating to illegal strikes, lockouts and penalties, all of which were passed. The Opposition attempted to express their dissatisfaction with the Government's attitude in declining to reply to the debate on each amendment to the clauses. Mr. *Jamnadas Mehta* moved an adjournment of the discussion of the Bill under standing order four of the Assembly, characterising the Government's attitude as a discourtesy to the opposition. The motion was defeated. While another amendment to the same clause was under discussion, Mr. *S. V. Parulekar* moved a similar adjournment motion on the same grounds. The *Speaker*, Mr. *G. V. Mavlankar* ruled it out of order. The Hon. Mr. *B. G. Kher*, explaining his position, said that he never meant discourtesy, when he stated that he had nothing to say. During the discussion of each amendments and clause, the same arguments were being repeated, to which exhaustive replies had been given by the Government. During the discussion of the bill, Mr. *Jamnadas Mehta* and Mr. *S. V. Parulekar* supported the clause when the Government agreed to amend clause 64 to provide against victimisation. Government again accommodated the opposition when it agreed to amend two other clauses, deleting the penalty of imprisonment for both employees and employers in the case of illegal strike and lockout and substituted fine in either case. The House was discussing clause sixty-seven penalising the instigators of illegal lockouts, when it rose for the day.

**3rd. NOVEMBER :—**The House to-day passed the remaining nine clauses, two schedules and the preamble with minor alterations. The Opposition mustered their forces on the discussion of the preamble, Mr. *Jamnadas Mehta*, Mr. *Parulekar* and Mr. *Jabhwala* characterising it as "misleading and incomplete" and maintaining that the Bill in reality had taken away the workers' fundamental right to strike. The preamble, however, was adopted by 43 votes to 15.

When Mr. *B. G. Kher*, Prime Minister moved the third reading, Mr. *Jamnadas Mehta* rose on a point of order drawing the attention of the Chair to the fact that under standing orders objection could be raised against taking up the third reading immediately after second reading had been concluded. Mr. *Mehta* stated that the Bill had undergone as many as 53 amendments and the House should have time to study the amended Bill before discussing the third reading. He, therefore, requested a postponement of the discussion on the third reading till December 1.

Mr. *B. G. Kher* appealed to the Chair to exercise its power to suspend the order. Mr. *G. V. Mavlankar*, the *Speaker*, accepted the request of the Government and suspended the standing order, but in view of the Opposition's desire to have time to study the amended Bill, he agreed that the general discussion on the third reading might take place to-morrow, but wanted to dispose of a few verbal amendments to the Bill during the third reading before rising for the day. Thereupon Mr. *Jamnadas Mehta*, followed by fourteen other members, comprising the Democratic Swaraj and Independent

Labour Parties, walked out of the House, protesting against "the intolerable injustice." The house then adjourned after disposing of amendments during the third reading.

**4th. NOVEMBER :—**The hon. Mr. *B. G. Kher*, replying to the debate on the third reading of the Bill to-day said that it had been his unhappy experience to find that any and every measure brought forward by his Government had been consistently opposed by the Opposition, irrespective of merit. He warned the workers not to be misled by interested propaganda and the campaign of misrepresentation of the Bill. Experience would soon bring home to the workers that this Bill was in their best interests. The Government were convinced that the Bill would promote the workers' genuine interests, but if it failed to do so the Government would not hesitate to amend or even to repeal it.

Messrs. *Jamnadas Mehta*, *Parulekar*, *Jabhvala* and *Khedgikar*, the four Labour oppositionists to the Bill, again voiced their opposition during the third reading. Mr. *Mehta* said that though the Bill had been considerably improved during the second reading by the Government's acceptance of certain amendments, it was fundamentally bad. Mr. *Parulekar* characterised the Bill as reactionary and undemocratic. Sir *A. M. K. Dehlavi*, Leader of the Opposition, also opposing the third reading, stated that this particular Bill should not have been made a party measure. His party was at one with the Government, he added, in weeding out Communists from the Indian workers' movement, but this Bill, in doing this, would crush the working class and favour employers. Mr. *Saklatvala* (millowners' representative) offered qualified support to the measure and repudiated the suggestion that the Bill favoured employers.

The *Prime Minister* said that there had been 1318 strikes in the past fourteen years which involved nineteen lakhs of people and six and half crores of working days, resulting in tremendous economic loss to the country. He added : "If the Government allowed such a state of affairs to continue and did not try to bring about industrial peace with due regard to the interests of employees and employers, the Government would be liable to be charged with criminal neglect of duty". Mr. *Kher* affirmed that the Government stood for class collaboration and not class conflict and that the Bill had been devised on this principle. He pointed out how the Government had incorporated amendments to the Bill during the second reading in the interests of labour and expressed his unbounded faith in the good intentions of his Government to the workers. The Bill was passed by 58 votes to 25.

#### THE MEDICAL PRACTITIONERS' BILL

**7th. NOVEMBER :—**Under the shadow of general strike in Bombay and with deserted opposition benches, the Assembly met to-day to consider the Bombay Medical Practitioners' Bill as reported by the select committee. The entire independent labour block was absent as well as all labour leaders with the exception of Mr. *S. H. Jabhvala*. Dr. *Gilder*, Minister of Health moved the second reading without a speech. The bill sought to regulate qualifications and provide for registration of Indian systems of medicine with a view to encouraging study and spread of such systems and amend the law relating to medical practitioners generally in the province of Bombay.

The House passed the first two clauses of the bill to-day. Several amendments were moved to the first clause seeking postponement of date of operation of that part of the bill which made registration and minimum standard qualifications compulsory. The amendments were rejected. The bill laid down that this part would come into force in Urban areas on expiry of five years of enforcement of the first two parts of the bill. The first two parts of the bill defined the scope of the bill and provided for the constitution of a board of Indian system of medicine for the purpose of carrying out the provisions and boards functions such as registration of practitioners.

**8th. NOVEMBER :—**The Assembly to-day passed the second and the third readings of the Bill, the third reading being passed with a solitary dissentient voice. Sir *M. K. Dehlavi*, leader of the Opposition paid a tribute to Dr. *Gilder*, Minister for Health, for piloting the thoughtful and far-sighted bill which preserve and encourage ancient indigenous medical science and regulate its

practice, at the same time discouraging the evil of quackery. Before the House rose for the day, the Hon. Mr. B. G. Kher formally introduced the Bombay Tenancy Bill.

#### NON-OFFICIAL BILLS

**9th. NOVEMBER :—**The Assembly considered non-official business to-day. As many as eighteen private Bills were introduced in the course of the day. Important among them were Bills for the prevention of unequal marriages and the prevention of bigamous marriages among Hindus introduced by Mrs. Lilavati Munshi, Mr. S. H. Jabhwala's Bombay Presidency Swadeshi Products Tests Bill, Mr. Ali Bahadur Khan's Social Freedom Protection Bill and the Bombay Presidency Muslim Personal Law (Shariat) Application Bill.

#### PROPAGANDA OF BIRTH CONTROL

**11th. NOVEMBER :—**Dr. M. D. Gilder, Minister for Health, opposed the resolution in favour of birth-control in the Assembly to-day. Citing statistics, Dr. Gilder pointed out that 4.2 children per family was India's average. He asked, "Do you want to limit it further?" Dr. Gilder stated that India's real problem was nutrition and want of proper diet. The resolution was defeated by 49 votes to 10. Moved by Mr. P. J. Roham yesterday, the resolution which urged the Government to carry on propaganda in favour of birth control and to provide facilities for its practice, invoked an interesting debate. The hon. Mr. Morarji Desai, Revenue Minister, opposing the resolution, advocated self-control and feared that once birth control was accepted, there would be no control of sexual life and that would result in the deterioration of the nation.

#### BOMBAY NURSES ACT

Mrs. Faiz Tyabji next moved a resolution recommending to the Government to amend the Bombay Nurses, Midwives and Health Visitors Act to meet the conditions in Bombay City so as to provide firstly for control of the profession of midwives, both trained and untrained, by the Municipal Corporation through registration; and, secondly, for safeguarding the interests of the public and of untrained midwives by providing them with rudimentary instructions and simple equipment until such time as all of them were trained. The hon. Dr. Gilder accepted the resolution on behalf of the Government. The debate had not concluded when the House adjourned.

#### RETURN OF SECURITIES

**14th. NOVEMBER :—**Mr. S. L. Karandikar's resolution, recommending to the Government the return forthwith of securities deposited by newspapers and printing presses and forfeited by the Provincial Government between 1st January, 1929, and 1st April, 1937, was defeated by 41 votes to 15. The hon. Mr. K. M. Munshi, Home Minister, opposed the resolution on principle, stating that the Government stood for restitution, not for compensation.

#### PROTECTION OF INDIGENOUS PRODUCTS

The Assembly next passed two other resolutions: one of them, moved by Mrs. Lilavati Munshi, recommended to the Government to convey to the Government of India the desire that they be pleased to take such measures through legislation or otherwise as would protect indigenous products against unhealthy foreign competition.

#### REMOVAL OF BAR ON INDIAN ADVOCATES

The other resolution, moved by Mr. Babubhai Patel, recommended to the Government to move the High Court of Bombay to make such change in the rules for admission and appearance of Advocates in the several jurisdictions of the High Court so as not to place Law Graduates of the recognised Universities of India and persons who had passed examinations held by Bar Councils under the Bar Councils Act at a disadvantage compared with Barristers of England and Ireland and members of the Faculty of Advocates of Scotland in the matter of admission or appearance.

#### LOCAL BOARDS & DRUGS CONTROL BILLS

**15th. NOVEMBER :—**The Assembly considered official business to-day. It passed the second and third readings of the Local Boards Act Amendment Bill as it had emerged from the Select Committee and adopted thereafter the hon. Dr. Gilder's reso-

lution, seeking the regulation in this Province through an act of the Central Legislature of the trade, production, supply and distribution of drugs and medicines.

#### AID TO INDIGENOUS ENTERPRISES

**16th. NOVEMBER** :—The House unanimously passed the resolution moved by the hon. Mr. L. M. Patil, Minister for Industries, seeking to give aid to indigenous enterprises in the Province by either lending or subscribing a part of the capital, by placing available technical advice at the disposal of the person concerned, or by giving such other facilities as might be deemed necessary. The resolution laid down the conditions under which such aid will be granted, namely, that no such aid will be given as may result in unfair competition with the existing industry and that by giving such aid, the Government may direct that the maximum return on the invested capital will be restricted to a reasonable limit, and such further conditions as may in the public interest be deemed necessary.

#### THE TRADES DISPUTES BILL (CONTD.)

**17th. NOVEMBER** :—The Trades Disputes Bill, which was the main subject of dispute between the Government and the Opposition, was finally passed by both the Houses to-day. Amendments and alterations made in the Bill by the Council were moved by the Premier Mr. B. G. Kher. One important change suggested by the Upper House had come from Mr. F. Stones, a member of the Progressive Party. As a result of this amendment all the three members of the Industrial Court to be appointed under this Bill will have the status of a High Court judge. When a decision in a particular case is to be applied to an industry in an area wider than that covered by the scope of the original dispute it will be first submitted to the Industrial Court. Another important change made by the Upper House is that in a case where the labour officer is a representative of employees and where a settlement of industrial dispute is arrived at in any conciliation proceedings the labour officer shall place such terms of the settlement before the meeting of employees concerned to be conveyed by him and he shall not sign a memorandum of such a settlement unless a majority of such employees present at such a meeting accept those terms. These and all other consequential changes were passed by the Assembly to-day.

#### THE MEDICAL PRACTITIONERS' BILL

Dr. M. D. Gilder's Bill to provide for the registration of practitioners of Indian systems of medicine with a view to encouraging the study and spread of such systems which was also amended by the Council yesterday, was sent to-day to the Assembly for further consideration and concurrence. The only important change made by the Council in this Bill was to reduce the amount of fine for non-registration from Rs. 500 to Rs. 100 for the first offence, and Rs. 500 for every subsequent offence after conviction of the first offence. The Assembly to-day gave its consent to this change. The Houses were then prorogued.

## The Bombay Legislative Council

**Autumn Session—Poona—19th. September to 17 November 1938**

#### RULES OF PROCEDURE OF COUNCIL

The Bombay Legislative Council opened its session at Poona on the 19th. September, 1938. Mr. M. M. Pakvasa, President, was in the chair. At the outset a reference was made to the death of Sir Phiroze Sethna by the Prime Minister and the leaders of all parties associated themselves with the Premier in paying a tribute to the illustrious deceased.

The House was engaged for three hours in discussing the rules of procedure of the Legislative Council. Some interest was created when Mr. S. C. Joshi moved an amendment to the effect that members could read their speeches in the House. Mr. Kher opposed the amendment. The division resulted in ten voting for and ten against.

The President, Mr. *M. M. Paksava* gave his casting vote against the amendment. The original rule regarding the subject was carried by 12 votes to 9. The House then adjourned.

**20th SEPTEMBER** :—The Council resumed discussion to-day on the remaining draft rules of procedure and disposed of them in the course of the day. An amendment from an Opposition member that it was open to a member to refer to a matter previously disallowed by the President on the floor of the House and urge the Chair to reconsider its decision, was rejected by the House after the Premier had opposed it on the ground that it contravened parliamentary practice and sought to challenge the Chair's decision. An amendment moved by Mrs. *Hansa Mehta* from the Government side for increasing the number of members required to stand in support of an adjournment motion for leave being granted to it from seven to ten, was withdrawn after an appeal from Prof. *Davar* to the Government not to take a retrograde step by going back upon the original recommendation of the committee which framed the rules.

After the rules were disposed of, the House took up consideration of three small official bills which were carried through all the three readings within the space of ten minutes. The House then adjourned till October 14.

#### OFFICIAL BILLS AND RESOLUTIONS

**14th. OCTOBER** :—The Bill to amend the Town Planning Act was passed through all its stages by the Council which also passed a resolution moved by the hon. Dr. *Gilder*, Minister for Health, urging the Central Legislature to bring forward a measure to regulate and control the import, manufacture and sale of drugs.

#### ARREST OF PEACEFUL PICKETERS

**17th. OCTOBER** :—A non-official resolution asking the Government to direct police officials not to arrest peaceful picketers was carried in the Council to-day. Five non-official resolutions were discussed. One was accepted by the Government, one was lost and three were withdrawn.

#### COLONISATION OF JEWS IN KENYA

The most important among them was the one moved by Mr. *S. R. Davar*, requiring the Provincial Government to convey to His Majesty's Government, through the Government of India, the protest of the Council against the proposal for the colonisation of Jews in the Kenya Highlands, as it was detrimental to the interests of Indians. Mr. *B. G. Kher*, the Prime Minister, stated that the matter was not in the hands of the Provincial Government as foreign affairs formed a subject to be dealt with by the Central Government. He was, however, in correspondence with the Government of India on the matter. From their communication, it appeared that the matter was still under correspondence between the Government of India and His Majesty's Government. The resolution was withdrawn.

The resolution of Mr. *Santilal Shah* asking the Government to instruct police officials not to arrest peaceful picketers was accepted by the hon. Mr. *K. M. Munshi* on behalf of the Government. He said that there was no law against peaceful picketing. Hence there could be no objection to it. The resolution was carried.

#### FILMS ON INDIA

A resolution asking the Government to reconstitute the Bombay Board of Film Censors so as to make it representative of nationalist opinion, and to ask the Board not to certify films which were likely to rouse the anger of Indians or wound their self-respect, was withdrawn by Mr. *Shah* on Mr. *K. M. Munshi*, Home Minister, explaining that the Government had taken action to see that in future all films depicting Indian life were shown to the Government before a certificate was issued to Indian importers against importing such films in future.

#### THE CONFISCATED LANDS BILL

**18th. OCTOBER** :—The Council passed to-day all stages of the Forfeited Lands Bill, which was passed by the Assembly on Friday last. Discussion on the first reading took nearly two hours, but the second and third readings were disposed of in a comparatively short time without many divisions. Opposition to the Bill

was led by Mr. *Frederick Stone*, Mr. *S. C. Joshi*, Mr. *G. S. Mahajani*, Mr. *E. N. Karanjia* and Mr. *S. R. Davar*. It was contended by some of them that the Bill would be vindictive against those who opposed the Government. Some pleaded that the Government should agree to pay more compensation than was contemplated. Dr. *K. A. Hamid* and Mr. *Narsingh Rao Desai* supported the Bill. The former said that the Government should not have paid any compensation at all to those people who worked against the country's interests, while Mr. *Narasimh Rao Desai* narrated his personal experience as one of those whose lands had been forfeited. Mr. *Morarji Desai*, Revenue Minister, replying, stated that looking at it from the point of view of morality and national self-respect, what the Government sought to give was more than just and proper. He declared, amidst cheers, that the Bill had the fullest approval of Mr. Gandhi.

#### THE TRADES DISPUTES BILL

**14th. NOVEMBER :—**The Council resumed the discussion of the second reading of the Trades Disputes Bill this morning. The Prime Minister, the hon. Mr. *B. G. Kher* made a gesture to the Opposition by accepting the latter's amendment limiting the duration of the Bill to five years on condition that the Opposition withdraw the other amendments, numbering over 100. The offer was accepted by Mr. *S. C. Joshi* (Nominated Labour) on behalf of the Opposition. Thereupon, both the sides agreeing, the President adjourned the House with a view to permitting informal discussion on the other amendments of a verbal and acceptable character. When the House met again, Mr. Joshi sprang a surprise by announcing his recantation from the agreement arrived at between him and the Government. Explaining his change of attitude, Mr. Joshi stated that after accepting the Government's offer, he had met his friends from the Lower House and discussed the position with them. He had realised that the acceptance of the offer would be misunderstood to mean that Labour was in favour of the Bill. The President added he felt sorry to find any member of the House in such an embarrassing position. He did not want to add to the member's embarrassment, but hoped that he would co-operate with the Chair in the speedy disposal of the large number of amendments by not making lengthy speeches. The House, thereafter, settled down to a discussion of the clauses. The Opposition's amendment to limit the duration of the Bill was defeated and the House further disposed of 25 clauses and 110 amendments before rising for the day.

#### MEDICAL PRACTITIONERS' BILL

**15th. NOVEMBER :—**The Council to-day passed the third reading of the Bill by 13 votes to 6. Thereafter, the House took up the first reading of the Medical Practitioners' Bill as amended by the Assembly and moved by the hon. Dr. *M. D. Gilder*, Minister for Health. Mr. *B. M. Virkar* moved an adjournment of the consideration of the Bill till the next session on the ground that the members had not sufficient time to study the Bill as it had emerged from the Lower House. The motion was rejected and the House was engaged in the debate on the first reading of the Bill when it rose for the day. The House then adjourned till the next day, the **16th. November** when it passed the third reading of the Medical Bill as it emerged from the Lower House and took up for consideration the Local Boards Act Amendment Bill as sent by the Lower House and passed, that too, before rising for the day. The House then adjourned till the next day, the **17th. November**, when it was *prorogued*.

### Acts Passed by the Bombay Legislature in 1937-38

1. **Bombay Legislature Members' (Removal of Disqualifications) Act, '37** (Bombay I of 1937). To specify offices of profit under the Crown in India which will not disqualify their holders from being chosen as, or, for being members of the Provincial Legislature.
2. **Bombay Legislative Council (President and Deputy President) and the Bombay Legislative Assembly (Speaker and Deputy Speaker) Salaries Act, 1937** (Bombay II of 1937). To determine the salaries of the President and Deputy President of the Bombay Legislative Council and the Speaker and Deputy Speaker of the Bombay Legislative Assembly.
3. **Bombay Legislature Members' Salaries and Allowance Act, '37** (Bombay III of 1937). To provide for the salaries and allowances of members of both the Chambers of the Legislature.
4. **Bombay Ministers' Salaries Act, 1937** (Bombay IV of 1937). To determine the salaries of Ministers.

5. **Bombay Local Boards (Amendment) Act '38** (Bombay I of 1938). To abolish nominations in this case of all local boards and to reserve seats in joint electorates for members of backward classes, minorities and women. It also gives an option to the Muhammadan voters in any Muhammadan constituency in a District to declare that the said separate Muhammadan constituency be abolished in which case they would get representation by means of reserved seats in joint electorates.

6. **Bombay Provincial Collection of Taxes Act '38** (Bombay IV of 1938). To provide that in cases in which Government make a declaration to the effect, the tax proposed in the Bill shall become leviable from the day on which the Bill is published.

7. **Bombay Tobacco (Amendment) Act, '38** (Bombay VI of 1938). Amends two Acts, namely : (1) the Tobacco Duty (Town of Bombay) Act, 1857, and (2) the Bombay (District) Tobacco Act, 1933. The object of amendments in the first Act is to increase the license fees in the City of Bombay in accordance with the quality of the tobacco. The amendments in the Bombay (District) Tobacco Act are designed to make the Act permanent and to shift the main burden of the license fees generally from the retailer to the wholesale dealer.

8. **Bombay Finance (Amendment) Act, '38** (Bombay VII of 1938). The Bombay Finance Act of 1932 containing provisions for the imposition of an electricity duty and for varying fees under the Court Fees Act and the duties under the Indian Stamp Act, is continued for one more year with certain increases.

9. **Bombay Small Holders Relief Act, '38** (Bombay VIII of 1938). To postpone the execution of decrees passed against small agriculturists up to April 1, 1939, by which time it is hoped to pass legislation for the relief of agricultural indebtedness and the regulation of tenancies.

10. **Bombay District Municipal Boroughs (Amendment) Act '38** (Bombay IX of 1938). To abolish nominations in the case of all municipal boards and to give representation by means of reservation of seats in joint electorates to members of backward classes, minorities and women. Also to give an option to the Muhammadan voters of any municipality to declare that separate Muhammadan constituencies should be abolished in which case they would get representation by reservation of seats in general constituencies.

11. **Bombay Race-Courses Licensing (Amendment) Act, '38** (Bombay X of 1938). To make it clear that the conditions which Government may impose under the existing Bombay Race-courses Licensing Act, 1912, may provide for the payment of a license fee to Government and for such other matters, directly or indirectly, connected with racing or not, as Government may deem fit.

12. **Bombay Harijan Temple Worship Removal of Disabilities Act '38** (Bombay XI of 1938). To remove all legal difficulties in the way of those trustees of public temples, who are convinced of the justice of the claim of Harijans to make use of Hindu public temples and who desire to throw open the temples under their control to the Harijans.

13. **Bombay Primary Education Amendment Act, '38** (Bombay XII of 1938). To remove certain difficulties experienced in the working of the Bombay Primary Education Act, 1923. The important change made by the Act is that the power of appointing administrative officers of School Boards and Inspecting staff will in future vest in Government. It also provides for the establishment of a Provincial Board of Education to advise Government in all matters connected with Primary Education.

14. **City of Bombay Municipal Third Amendment Act '38** (Bombay XIII of 1938) To effect :—(a) Abolition of nominations ; (b) Introduction of adult franchise for elections of 1942 and thereof ; (c) and Redistribution of wards,

15. **City of Bombay Police (Amendment) Act '38** (Bombay XIV of 1938). To enable the Commissioner of Police to direct any person to remove himself from the City of Bombay, if in the opinion of the Commissioner his presence, movements or acts, is or are causing or are calculated to cause danger or alarm, or a reasonable suspicion exists that unlawful designs are entertained by such persons.

16. **The Indian Lunacy (Bombay Amendment) Act, '38** (Bombay XV of 1938). To permit the transfer of certain classes of patients to more congenial surroundings under the care of relatives or friends.

17. **Bombay Special (Emergency) Powers (Repeal) Act '38**. To repeal the Bombay Special (Emergency) Powers Act, 1932.

18. **Bombay Probation of Offenders Bill, '38** (Bill No. III of 1938). To enlarge the provisions of section 562 of the Criminal Procedure Code for the release on probation of offenders and to provide particularly for the supervision of certain offenders by a probation officer named by the Court.

# The Madras Legislative Assembly

August Session—Madras—15th. August to 19th. August 1938

## SPEAKER CANCELS EUROPEAN TOUR

The August session of the Madras Legislative Assembly commenced at Madras on 15th August 1938 and continued for five days till the 19th August with the Speaker, Mr. *Bulusu Sambamurthi* in the Chair. Before proceeding with the regular business of the day, the Speaker took the opportunity to explain to the House why he cancelled his European tour, for which both the Houses of the Legislature had unanimously voted the necessary expenditure. The Speaker said: Situated as India is to-day and engaged as India is in a political struggle for self-determination and national independence any step calculated to create an impression that the country has in any way settled down to work the constitutional machinery imposed upon it from outside should be carefully avoided, and when the Congress Working Committee is of the opinion that the visit of any Congress Speaker or Minister in India to foreign countries might be interpreted as the acceptance of the Government of India Act, a measure which has been declared as unacceptable to the people of India. Whatever may be their political complex, it is my only duty to respect that opinion whatever may be difference of view about it. Mr. Sambamurthi said he cheerfully accepted the advice of the Working Committee and cancelled his tour.

## INDIAN LUNACY ACT AMEND. BILL

Four Bills were next passed into law. The hon. Dr. *T. S. S. Rajan* introduced the Bill further to amend the Indian Lunacy Act 1912. In explaining the objects of the Bill he said that the present act did not contain any provision for enabling the Superintendent of any asylum to discharge a lunatic temporarily when such discharge was required in the interests of his health. This defect was now sought to be remedied. Another provision in the Bill was for the purpose of enabling a court to make due allowance for the needs of the wife, children and other dependants of a lunatic when proceedings were started against the estate of the lunatic for the recovery of the cost of his maintenance in the asylum. The Bill was taken into consideration and the various clauses of the Bill were put one by one without discussion and passed. The Bill was then passed into law.

## MEDICAL REGISTRATION AMEND. BILL

The hon. Mr. *T. S. S. Rajan* next introduced the Bill further to amend the Madras Medical Registration Act 1914 and moved that the Bill be taken into consideration. The object of the Bill was to throw open the presidentship of the Madras Medical Council to election after a period of four years and to abolish the distinctions between the different classes of registered practitioners and to provide for a common register in which the names of all practitioners should be arranged in the alphabetical order. After the several clauses were passed the Minister moved that the Bill be passed into law. The motion was accepted and the amending Bill was passed into law.

## MADRAS ESTATES LAND AMEND. BILL

The hon. Mr. *T. Prakasam*, Revenue Minister sought leave of the House to introduce a Bill further to amend the Madras Estates Land Act 1908 and that the same be taken into consideration at once. The Bill sought to extend the period by one year for applications being preferred by landowners in certain cases for the establishment of their kudivaram rights in inam villages. The motion was passed and the only clause of the Bill was then put and carried. The Bill was then passed into law.

## PRISONS ACT AMEND BILL

The hon. Mr. *K. Raman Menon*, Minister for Prisons, moved that the Bill to further amend the Prisons Act, 1894 and the Indian Lunacy Act, 1912 be taken into consideration. The motion was adopted and the clauses in the Bill were then put to vote one by one and passed. The Bill was then passed into law.

## LAND MORTGAGE BANK ACT

The hon. Mr. V. V. Giri then moved the following resolution: "This Assembly recommends to the Provincial Government that they may, from time to time and under such conditions as they may require, under sub-section (2) of section 6 of the Madras Co-operative Land Mortgage Banks Act, 1934 increase the maximum amount of the guarantee given by them in respect of the debentures issued by the Madras Co-operative Central Land Mortgage Bank, Ltd., up to a total face value of Rs. 250 lakhs exclusive of such debentures as the Bank may from time to time redeem, such debentures being issued for periods not exceeding in any case 25 years from the date of issue and bearing interest at a rate not exceeding 5 per cent per annum". The motion was put to the House and carried. The House then adjourned.

## FAMINE RELIEF FUND BILL

**16th. AUGUST** :—Five more Government Bills were passed by the Assembly to-day. The *Prime Minister* introduced a Bill to amend the Madras Famine Relief Fund Act and moved that the Bill be taken into consideration at once. The Bill, the *Prime Minister* said, was intended firstly to enable the Government to invest the Fund in the securities of the Provincial Government, and in the loans of the Provincial Government. Secondly, the Bill ensured the minimum of Rs. 60 lakhs being maintained in the Fund and made it a charge on the revenue. The Bill was passed.

## REPEALING &amp; AMENDING BILL

The hon. Mr. P. Subbarayan next introduced a Bill to repeal certain enactments and to amend certain other enactments and moved that the Bill be taken into consideration at once. He said that the Bill was only of procedural importance. The task of issuing a revised edition of the Madras Code had now been taken in hand, and the present was an appropriate occasion for the repeal of such of the enactments appearing in those volumes as were concerned merely with the making of textual alterations in Acts that already existed. The textual alterations so made, were incorporated in the parent Act as soon as the amending Act came into force. The insertion recently of section S-A in the Madras General Clause Act 1891, had abolished all reason for keeping amending act of this nature alive. Notwithstanding the repeal of such acts, amendments made by them would continue to be in force. Certain Acts which had by virtue of the Government of India (Adaption of Indian Laws) Order 1937, ceased to have effect were now formally repealed. The motion that the Bill be taken into consideration was then passed and the clauses of the Bill were put one by one without any discussion and carried. The Bill was then passed into law.

## PROHIBITION ACT AMEND. BILL

The hon. Mr. C. Rajagopalachariar next introduced the Madras Prohibition (Amendment) Bill and moved that the Bill be taken into consideration at once. He said that section 6 of the Prohibition Act of 1937 penalised the advertisement of any liquor or drug unless it had been exempted by the Government from the provisions of that section or unless it had been specially approved as of medicinal value by the Madras Medical Council. In dry areas where the Prohibition Act had been in force, people might resort to such liquors approved as of medicinal value. There were certain wines and liquors of proprietary concerns, which were likely to do harm to the people. Such wines and liquors were now largely advertised and distributed in open markets. It was commonly known that most of those liquors have a large sale. The Government considered that public advertisement of medicated wines and similar preparations were unnecessary and undesirable and should be prohibited. The Government were of the opinion that such medicated wines might be advertised in medical journals or in notices and literature circulated exclusively to members of the medical profession. Power to approve such wines and liquors as of medicinal value was to be accorded not only to the Madras Medical Council but also to other similar bodies and in the case of Indian medicines, to such an authority like the Indian School of Medicine or authorities as might be notified by the Government. This was a liberalising provision in the Bill.

The motion that the Bill be taken into consideration at once was passed without division. The Bill was next put clause by clause and similarly passed. The *Prime*

Minister then moved that the Bill be passed into law. This motion was also adopted without a division and the Bill was passed into law.

#### BORSTAL SCHOOLS AMEND. BILL

The hon. Mr. K. Raman Menon sought leave of the House to introduce a Bill further to amend the Madras Borstal Schools Act, 1925, for certain purposes and moved that the Bill be taken into consideration at once. He also asked the House to waive the six days' notice. The object of the Bill, he said, was to entrust Honorary Presidency Magistrates with the power to pass sentences under the Borstal Schools Act, which power they had not hitherto. The motion was adopted and the Bill was put clause by clause and adopted. On the motion of the Minister for Courts and Prisons the Bill was passed into law.

#### LOCAL BOARDS AMEND. BILL

The hon. Mr. B. Gopala Reddi, Minister for Local Administration, next moved that the Bill further to amend the Madras Local Boards Act, 1929, be taken into consideration at once. The House gave permission to introduce the Bill. The Bill was then passed clause by clause. On the motion of the Minister, the Bill was passed into law.

#### THE MINOR PORTS FUND BILL

The Minor Ports Fund Bill was not proceeded with, an objection being raised on ground of lack of adequate notice. The Speaker suggested that the Bill might be put off to the October sitting of the Assembly, in view of its importance. The Premier replied that the Government would give due 'consideration' to the Speaker's suggestion. The House then adjourned.

#### MALABAR TEMPLE-ENTRY BILL

**17th. AUGUST :—**The select committee motion of Mr. M. C. Rajah's Temple Entry Bill came up for discussion to-day. Mr. C. Rajagopalachariar, the Premier, requested Mr. Rajah not to proceed with his Bill as the Government themselves proposed introducing a bill at the next session of the Assembly, in November, throwing open the temple to all Hindus in the Malabar district in the first instance and extend the same to other districts later on. It would be a difficult task for the Government, said the Premier, if they had to introduce temple-entry simultaneously all over the presidency because they had to enlighten the public and obtain their cheerful consent for the reform by removing their ignorance and superstition. It would be wiser, said he, to follow the line of least resistance and temple-entry in Malabar, which had more or less the same tradition, custom and usage as Travancore, would be easily extended to other districts of the province. The Premier said that mere passing of a bill and putting it into the statute book was not what they wanted and he assured Mr. Rajah that the step contemplated by the Government would take them to their goal much earlier than any other measure and he appealed to Mr. Rajah to withdraw his measure. Mr. Rajah, declining to drop his bill, accused the Premier and the Congress Government of betraying the Harijan cause. He said public opinion in the country had been found in favour of the bill and he saw no reason for the Government not to proceed with the measure straightway applying it to the whole province. The select committee motion was pressed to a division and lost by 130 votes to 24.

#### REMOVAL OF CIVIL DISABILITIES OF HARIJANS

A non-official bill moved by Mr. M. C. Rajah to provide for the removal of civil disabilities of Harijans in regard to appointments to any public office or in regard to access to public wells, ponds, roads etc., was next passed into law. Both the Government and Opposition bouches welcomed the measure as a great piece of social reform long overdue. Kumararaja Muthia Chettiar, Leader of the Opposition, congratulated the Premier and the ministerial party for accepting the Bill. He hoped this reform would be greeted with whole-hearted approval by the general public and there would be no difficulty in putting it into execution. The Premier Mr. C. Rajagopalachariar said that he was glad that much enthusiasm was not exhibited over the measure. The negative phenomenon itself was proof of the stage, to which the country has advanced.

He hoped that not only would this bill be getting into the statute book, but the general public would give it the fullest effect.

#### CRIMINAL LAW ACTS REPEAL BILL

The Assembly next refused leave to Mr. T. Krishnamachari to introduce a Bill to repeal the Criminal Law Amendment Acts in so far as they affected the Madras Presidency. Mr. Krishnamachari said that the Criminal Law Amendment Acts crippled individual freedom and suppressed civil liberties. The history of the administration of the law made it clear that the temptation to use it against political opponents was irresistible to any executive. He reminded the Congress Party of its Election Manifesto and urged them to discard these "repressive" laws.

The Premier said that they were not against the repeal of the Criminal Law Amendment Acts as such, but the time for repeal had not come. They were conscious of their election pledges, and if they opposed the Bill now it was because they were urged by a far greater sense of duty not to discard the weapons at their disposal until they had gained time and made their own laws.

#### BURMA RIOTS DEPLORED

**18th. AUGUST :-** The House unanimously passed a resolution to-day requesting the Madras Government to bring to the notice of the Government of Burma that the people of Madras greatly deplored the recent riots in Burma and hoped that effective measures to preserve life and property had been adopted, and that adequate measures would be continued to prevent a recurrence of the trouble and to recommend the appointment of a committee to inquire fully into the disturbances and suggest measures for permanent peace and goodwill between the communities.

Mr. Abdul Hamid Khan (Moslem League) moved the resolution and the Premier, accepting it wholeheartedly on behalf of the Government, expressed sympathy with the victims and congratulated the Burma Government in having been able to restore peace and order.

#### ANTI-HINDI AGITATION & REPRESSION

The alleged repressive policy of the Government in the matter of dealing with persons who took part in anti-Hindi agitation and the use of the Criminal Law Amendment Act against those persons, came in for severe criticism at the hands of some of the opposition members. Mr. Abdul Hamid Khan (Muslim League) who initiated the discussion by moving his resolution on the subject said that he was not opposed to the introduction of Hindustani, nor did he approve of the picketing in front of the Premier's residence. What he objected to was the repression that was practised under the Criminal Law Amendment Act which he termed as a lawless law calculated to destroy civil liberty in the land. Sir A. Pannirselvam said he would prefer to have English, which was spoken by a few people, than Hindustani which none knew in Tamilnad. Mr. Yakub Hassan, Minister for Public Works, denied that any repression was practised. He said that nationalist Muslims were working for the last forty years to popularise Hindustani and now when a real opportunity had come he wondered why certain Muslim members objected to the language. Mr. T. Prakasam, Minister for Revenue, who also spoke on the resolution, said that it was not for pleasure or love that they were using the Criminal Law Amendment Act but there was no other act which could cover the offence committed by the so-called anti-Hindi agitators. Mr. Rajagopalachari, the Premier, winding up the debate which lasted for full four hours, said that the real object of the motion was not so much to prevent the introduction of Hindustani as to obstruct and defy the Government. Who could describe the policy of the Government as one of repression? Putting certain offenders in jail after proper trial and conviction, he said, was not repression. Referring to picketing in front of his residence, the Premier said he would not have minded if they had made only some noise and were content with shouting anti-Hindi slogans. But their shouting was born of communal hatred which would be injurious to the nation as a whole and it should not be tolerated. He would not mind even the wildest of personal abuse but it was the annoyance to the national honour which he could not brook. He next pointed out to the absence of any other law except the Criminal Law Amendment Act to apply to such unusual offences and if they violated the Congress pledges and Congress doctrines, he said there was the Congress to look to that. Mr. Khan's resolution was put to vote and was declared lost.

The House then adjourned till the next day, the 19th. August, when supplementary demands for grants were voted, after which the House adjourned till the 28th November.

## Winter Session—Madras—28th. November to 12th. December 1938

### THE PUBLIC HEALTH BILL

**28th. NOVEMBER:**—The Public Health Bill, after four hours' discussion to-day, was referred to a Select Committee of fifteen members, with the Minister of Public Health as Chairman. *M. T. T. Krishnamachari's* motion to circulate the Bill for eliciting public opinion was lost. Spokers from the Opposition benches, while directing their main attack on details of the Bill, complained that adequate time had not been given to the public to express themselves on it. A measure of such far-reaching effect, the members pleaded, should not be rushed through. Speaking on behalf of the European group, *Mr. W. K. M. Langley* expressed himself as being in agreement with the general principles of the Bill, and congratulated the Health Minister on his courage and skill in bringing forward such a Bill. Properly considered and piloted, the measure, he had no doubt, would have far-reaching effect on the health and well-being of the province. He urged that there need be no hurry in considering the Bill, the clauses of which required careful consideration and supported the motion for circulation. The *Prime Minister*, intervening towards the end of the debate, claimed that the Bill had received warm welcome in the province and that the public, the medical profession and organised bodies had on the whole not raised objection to the Bill. He assured the House that if the main principles were acceptable, as he understood they were, details might well be left to be attended to by the Select Committee. The *Minister for Health*, in view of the feeling given expression to in the House, did not press the time-limit for the submission by the Select Committee of its report, and made suitable changes in the composition of the committee to make it more representative of the Opposition groups. *Dr. Rajan* welcomed the co-operation of the Opposition for making the Bill as perfect and useful as possible.

### PROHIBITION ACT AMENDING BILL

**29th. NOVEMBER:**—Great headway was made by the House in clearing most of the official business. A Bill amending the Prohibition Act to regulate exemption in the case of wine used for sacramental purposes was passed into law. The Government was empowered by this measure to make suitable provisions for issuing authority to persons and institutions for possession and use of such liquor, as may be required by them for any *bonafide* religious purpose in accordance with ancient custom.

### REGULATION OF DRUGS & MEDICINES

The Assembly also unanimously carried a resolution by *Dr. T. S. S. Rajan* (Public Health Minister), recommending the Central Legislature to enact legislation of certain matters in respect of drugs and medicines, enumerated in the provincial list. *Dr. Rajan* in moving the resolution said it was desirable to have uniform legislation in this particular case for the whole of India and that various provinces had made a similar recommendation to the Central Government. He pointed out that such legislation would be in the interest of indigenous producers and would give them a chance to compete with imported goods.

### THE MINOR PORTS BILL

**30th. NOVEMBER:**—By 82 votes to 18, the Assembly referred the Minor Ports Fund Bill to a Select Committee. An amendment by a member of the Opposition to have the Bill circulated for eliciting public opinion was defeated. In the course of the debate, which lasted for over four hours, members representing Commerce spoke vehemently in opposition to the Bill and characterised the provisions as being expropriatory. They urged that the fund should be retained intact, for the exclusive benefit of the minor ports. The *Prime Minister*, replying at length to the criticisms levelled by the Opposition, said that there was no need for the fear that with the passing of the Bill, there would be an end to the progress of the ports. On the contrary, it would lead, he said, to the Government taking due interest in their proper maintenance and improvement. "These ports," the *Prime Minister* said, "will not

continue to be orphan children, as at present, but would be adopted by this Government. If we use this money as ours and if we feel this money is ours, it will be to our interest to make the minor ports grow. We shall no longer depend on starved agriculturists or the foolish man who drinks, for our revenue. We shall depend on trade and commerce and improve the minor ports." The Prime Minister stressed that it would be wrong to deem the Fund as a trust, and said that it only represented unspent balance and that it was proper for the Government to treat it as theirs. The *Minister for Public Works* assured the house that the surplus would be utilised primarily for the improvement of the ports.

#### THE MALABAR TEMPLE-ENTRY BILL (CONTD.)

**1st. DECEMBER :—**The Malabar Temple-Entry Bill was introduced to-day by the *Premier*, who moved that it be referred to a Select Committee with instructions to report before December 5. The motion was still under discussion when the House adjourned for the day. The *Premier* dwelt on the permissive nature of the measure and said that the passing of the measure would not by itself open the temples to Harijans. They could be opened, he stressed, only if the people were approached and the majority consented to the step.

**2nd. DECEMBER :—**The Bill was referred to a Select Committee to-day with instruction to submit its report to the Assembly before the 5th instant. The motion was carried by 106 votes to 2, Messrs. *R. M. Palat* and *G. Krishna Rao* being the only members in the House who voted against. The *Premier* thanked the House for the almost unanimous support to the measure. He felt convinced that nothing would give the great body of Harijans more joy than the throwing open of temples, which had been closed to them for ages. While thanking Mr. Raja and others for their offer of co-operation, he urged them not to approach the task in a spirit of pessimism, but with the confidence in the success of the movement.

#### PLEA FOR MILITARY TRAINING

**7th. DECEMBER :—**The Assembly passed to-day a resolution urging that "it is necessary and desirable that immediate steps be taken to provide facilities for military training to all college students and other civilian population desirous of undergoing such training." The *Premier*, supporting the resolution, stressed that "from the point of view of the province as a whole, it is just on our part that we should ask for and demand our natural and proper share in the defence of our country being given to us."

The House next passed the Mappila Marumakkathayam Bill, moved by Mr. *Mahomed Schamnad* with the amendments suggested by the Government.

#### THE MALABAR TEMPLE-ENTRY BILL (CONTD.)

**8th. DECEMBER :—**The Malabar Temple-Entry Bill was passed by the Assembly to-day. The consideration of clauses did not occupy long, as the amendments were mostly those proposed by the Government to improve the drafting. Only three amendments were suggested from the Opposition side. Two of them by Mr. *Ari Gounder* were by leave withdrawn. An amendment moved by Mr. *G. Krishna Rao* was pressed to a division and rejected.

Moving the passage of the Bill, the *Prime Minister* declared that great issues hanged by the measure, nay, the future of Hinduism itself. A heavy responsibility, he observed, lay on the members of the House, and he expressed the hope that all would co-operate in seeing that the measure, when passed into law, was put into effect in the best interests of Hinduism and temples were thrown open in Malabar in absolute peace and with sincere hearts. With the opening of temples in Malabar, he saw sure the path would become easy in other districts for the reform. The announcement by the Chair that the Bill had been passed were the signal for prolonged shouts of "Mahatma Gandhi-ki-jai"

#### THE MINOR PORTS BILL (CONTD.)

The Minor Ports Fund Bill was considered by the House earlier and passed into law.

**9th. DECEMBER :—**The Assembly to-day approved of the draft rules for provincialising the service of Local Board Assistant Engineers on the motion of the hon. Mr. *B. Gopala Reddi*, Minister for Local Administration.

THE PUBLIC HEALTH BILL (CONTD.)

The hon. Dr. T. S. S. Rajan, Minister for Public Health, presented the report of the Select Committee on the Public Health Bill after which the House adjourned.

**12th. DECEMBER :—**The Assembly discussed to-day the report of the Select Committee on the Public Health Bill. The hon. Dr. Rajan thanked the House for the almost unanimous approval of the measure. If it was passed Madras would have, he said, the distinction of being the first province in India to enact a public health law. "I appeal to the people", he said, "to co-operate with the Government to put this enactment in the forefront of all enactments. This enactment is of first rate importance and no less necessary than the Prohibition Act and the Debt Relief Act. It is in fact a "Death Relief Act". The House at this stage adjourned till the 17th. January 1939.

## The Madras Legislative Council

### August Session—Madras—15th. August to 19th. August 1938

The August session of the Madras Legislative Council commenced at Madras on the 15th. August 1938 with the hon. Dr. U. Rama Rao, the President, in the chair, to transact official business. The main item in the agenda was the presentation of the supplementary statement of Expenditure for 1938-39 after which the House adjourned till the 17th.

#### INDIAN SUCCESSION AMENDMENT BILL

**17th. AUGUST :—**Mr. J. A. Saldanha asked for leave to-day to introduce the Bill for amending the Indian Succession Act, 1925, for certain purposes. The Bill, Mr. Saldanha explained, sought to give relief to members of the Indian Christian community who, he said, were placed on a different footing from Muslims, Hindus and other non-Christian communities, in the matter of probates and succession certificates. The differential treatment, he said, resulted in certain hardships and it was the intention of the Bill to remove them.

#### ENQUIRY INTO LAND REVENUE SYSTEM

Dr. P. J. Thomas then moved the following resolution :—"The Council recommends to the Government that a reform of the system of ryotwari land revenue settlement may be carried out with a view to making the tax burdens equitable as between the different classes of land-holders and between different areas and that as a preliminary step an expert enquiry may be carried out into the matter at an early date." After a good deal of debate the resolution was by leave of the House withdrawn. The Council then adjourned.

#### GUARANTEE TO LAND MORTGAGE BANK DEBENTURES

**18th. AUGUST :—**The hon. Mr. V. V. Giri moved to-day a resolution recommending to the Government that they might from time to time increase the maximum amount of the guarantee given by them in respect of the debentures issued by the Madras Co-operative Central Land Mortgage Bank up to a total face value of Rs. 250 lakhs, exclusive of such debentures being issued for periods not exceeding in any case 25 years from the date of issue and bearing interest at a rate not exceeding five per cent per annum. The motion was then put to the House and adopted.

#### RELIGIOUS ENDOWMENT BILL

The hon. Dr. T. S. S. Rajan moved a resolution to the effect that the notification varying the strength of the Board of Commissioners for Hindu Religious Endowments from four to three be approved. Dr. Rajan said that very soon an amended Hindu Religious Endowments Act would be laid before the House and in the meanwhile they might adopt the resolution. The motion was adopted without discussion.

## LUNACY ACT AMEND. BILL

The hon. Dr. T. S. S. Rajan next moved that a Bill further to amend the Indian Lunacy Act, as passed by the Legislative Assembly, be taken into consideration at once. The Bill was taken into consideration and passed into law without any discussion.

## MEDICAL REGISTRATION AMEND. BILL

The hon. Dr. T. S. S. Rajan next moved that the Bill further to amend the Madras Medical Registration Act for certain purposes, as passed by the Legislative Assembly be taken into consideration. The Bill provided for a uniform classification of Medical Practitioners. The Bill was taken into consideration and passed into law.

## OTHER BILLS PASSED

The Bill further to amend the Madras Estates Land Act, 1908, the Bill further to amend the Prisons Act, 1894 and the Indian Lunacy Act, 1912, in their application to the Province of Madras for certain purposes, the Bill to amend the Madras Famine Relief Fund Act, 1936, the Bill to repeal certain enactments and to amend the Madras Prohibition Act, 1937, and the Bill further to amend the Madras Boisterous Schools Act, 1925, as passed by the Madras Legislative Assembly, were next moved and passed into law without any discussion.

## LOCAL BOARDS ACT AMEND. BILL

The hon. Mr. B. Gopala Reddi moved that the Bill to amend the Madras Local Boards Act, 1920 and the Madras Local Boards (Amendment) Act, 1935 for certain purposes as passed by the Legislative Assembly be taken into consideration. The Bill, the Minister explained, was introduced to have uniformity in the matter of elections. Rao Bahadur N. R. Saniappa Mudaliar moved an amendment to clause 2 of the Bill. The amendment provided that the term of the members of all the local boards included in groups II and III of the schedule to the Madras Local Boards (Amendment) Act, 1935, shall expire on the first day of November 1938 in the case of local boards included in group II aforesaid and on 1st day of November 1939 in the case of local boards included in group III aforesaid. The amendment was put to vote and declared lost. The original motion was carried and the Bill was passed into Law. This concluded the business for the day and the House then adjourned till the next day, the 19th. August, when after a resolution deploring the Burma Riots had been moved by Mr. T. C. Srinivasa Iyengar and passed, the Council adjourned till the 12th December.

## December Session—Madras—12th. Dec. to 14th. Dec. 1938

## CIVIL DISABILITIES REMOVAL BILL

The December Session of the Council commenced on the 12th December and continued for the next three days. The hon. Dr. T. S. S. Rajan moved that the Bill to provide for the Removal of Civil Disabilities among certain classes of Hindus, as passed by the Assembly, be taken into consideration. The Bill, Dr. Rajan said, was originally introduced in the Central Assembly in 1936. It was circulated for opinion in the country and a large volume of opinion was collected. But nothing further was done on account of the exigencies of the political situation. The present Government introduced the Bill in the Madras Legislative Assembly in August. It was referred to a Select Committee and was discussed in detail in the Assembly and was passed. The object of the measure was to enable certain classes of people known as Harijans, Depressed Classes and others to be placed on the same footing as others particularly with regard to accessibility to public springs, tanks, pathways, sanitary convenience, public vehicles and the like.

The motion that the Bill be taken into consideration, was put to the House and carried. The House then proceeded to consider the Bill clause by clause. After an amendment to clause 2 proposing to drop the appellation "Harijans" was lost, the motion of the hon. Dr. Rajan that the Bill be passed into law was carried.

## PROHIBITION ACT AMEND. BILL

The Prime Minister next moved that the Bill to amend the Madras Prohibition Act, passed by the Assembly to provide for the Government making suitable provision

to persons and institutions for the possession and use of liquor for *bonafide* religious purposes, be taken into consideration. Without further discussion, the clauses of the Bill, four in number, were passed by the House. The motion for the Bill as also the Preamble being passed into law was also carried.

#### DT. MUNICIPALITIES & LOCAL BOARDS AMEND. BILL

The hon. Mr. *B. Gopala Reddi* then moved that the Madras District Municipalities and Local Boards (Amendment Bill) 1939, as passed by the Assembly, be taken into consideration. The object of the Bill, Mr. *Gopala Reddi* said, was to regularise what had been done in certain district boards who had to appoint engineers and undertake electrical services. The motion of Mr. *Gopala Reddi* that the Bill be passed into law was then put to the House and carried. The Council then adjourned.

#### MALABAR TEMPLE ENTRY BILL

**13th. DECEMBER :—**The Council passed to-day the Malabar Temple Entry Bill as passed by the Assembly last week. The *Premier*, who moved for the adoption of the Bill, asked for the blessings of the House of Elders for a measure of utmost national importance. Two members of the Opposition raised points of order holding that under the provisions of the Government of India Act the Provincial Legislature was not competent to deal with the measure. The *President*, agreeing with the *Premier*, ruled the points out of order. One member of the Opposition remarked that the time was not yet ripe for introducing such a measure. A few amendments proposed by Opposition members were rejected. The *Premier*, replying to the debate, said that it was unwise and suicidal for orthodox Hindus to stand against this measure. The Leader of the Opposition and Sir *K. V. Reddi* were among those who gave the Bill their warm support. The latter thought that the measure was long overdue and hoped it would be extended to other parts of the Province.

#### THE MINOR PORTS FUND BILL

The Council passed the Madras Minor Ports Fund Bill as passed by the Assembly and also the resolution moved by Dr. *T. S. S. Rajan*, Minister for Public Health, desiring legislation by the Central Legislature for the regulation of certain matters in respect of drugs and medicines enumerated in the provincial legislative list. The resolution was adopted by the Assembly.

#### SUCCESSION ACT AMEND. BILL

**14th. DECEMBER :—**The Council re-assembled to-day for transaction of non-official business in the nature of bills and resolutions given notice of by members. Mr. *J. A. Saldanha* did not press his motion to refer the Bill to amend the Indian Succession Act to a Select Committee.

#### REDUCTION OF LAND REVENUE

Mr. *N. R. Samiappa Mudaliar's* resolution to reduce the land revenue assessment by a third, was rejected by 29 votes to 11. The *Revenue Minister* observed that the resolution was inopportune and was intended to place the Government in a false position. The Government's opposition to the resolution did not mean that they did not propose to afford relief to the suffering ryots. They were actively examining the question of revising the land revenue system and hoped to reach a final decision before long.

The House then adjourned to meet again on the 27th January 1939.

# The Behar Legislative Assembly

Autumn Session—Patna—25th. July to 23rd. August 1938

## ADJ. MOTIONS ON COMMUNAL DISCORD

After a prolonged recess for nearly one month the Bihar Legislative Assembly, which had adjourned indefinitely following the differences between the Ministerial Party and the Opposition over provisions regarding speedy realisation of rent contained in the New Tenancy Legislation and which later was settled through the mediation of Maulana Abul Kalam Azad, commenced its Autumn session at Patna on the 25th. July 1938 to consider the Tenancy Act Amendment Bill.

At the outset Mr. M. Yunus, former Premier and Leader of the Muslim Independent Party, gave notice of two adjournment motions in order to discuss "the steps to be taken by the Government to prevent the continuance of communal discord in the village of Diwan in Patna district, where Hindu images have been unearthed in a Muslim graveyard" as well as "the Government's negligence in allowing a forced compromise to be signed by Muslims (that they would neither bring nor eat beef) in the village of Gyari Naganj in Monghyr district." The first motion was not admitted, the *Speaker* accepting the *Premier's* objection that it did not seek to consider any acts of commission and omission by the Government. The next motion was admitted and was discussed on July 27.

## THE TENANCY ACT AMEND. BILL

The Tenancy Act Amendment Bill being taken up for consideration, the *Premier* moved that it be sent again to a Select Committee for examination of the provisions in the light of the recent Congress-Zamindar agreement. This was adopted.

## MEMBERS' SALARIES BILL

The Assembly also passed the amendments adopted by the Upper House to the Members' Salaries and Allowances Bill.

## THE CHAMPARAN AGRARIAN AMEND. BILL

The *Prime Minister* then introduced the Champaran Agrarian Amendment Bill. That Mr. Gandhi had been a party to the agreement arrived at in 1918 under which the enhancement of rent had been permitted to planters for releasing tenants from the obligation of compulsory cultivation of indigo in three-twentieths of the area holding, was the chief argument used by Mr. *Meyrick*, the planters' representative and Sir *Ganesh Dutt Singh* while opposing the motion for consideration of the Bill. The Bill sought to cancel all such enhancements as the imposition of the obligation itself was inequitable and oppressive and so were the subsequent enhancements of rent in lieu thereof. Members on the Congress benches, replying, maintained that Mr. Gandhi had agreed to the maximum relief that could be obtained under the circumstances and before the termination of the negotiations, he had become busy with agrarian troubles in Kaira district.

**26th. JULY :—**The Assembly passed to-day the Bill with a single dissentient, (Mr. *Meyrick*, representing the North Bihar Planters' Constituency).

## BAKASHT LANDS RESTORATION BILL

The Bakasht Lands Restoration Bill was next taken up, discussion on which was made lively by one division challenged by Mr. *Tahir* of the Muslim Independent Party on his amendment to the effect that even tenants of petty landlords should be given relief. The Bill provides that land under the possession of petty landlords, whose net income is upto Rs. 5,000, that is, those who are exempt from the Agricultural Income-Tax, shall not be liable to be restored under this Act. The amendment was rejected by 78 votes against seven.

It may be recalled that discussion on this Bill received set back owing to the sudden difference in the views in the Bihar Tenancy Bill between the Government and

the zamindars. Immediately following disagreement, the House adjourned 'sine die'. After compromise this Bill which intends to afford fresh relief to the peasantry was taken up to-day for consideration.

**27th. JULY :—**The Assembly passed to-day the Bihar Restoration of Bakasht Lands Bill with slight changes.

#### SUPPLEMENTARY TENANCY AMEND. BILL

The *Prime Minister* then presented the report of the select committee on the new Tenancy Bill which had been recommitteed recently. The Bill made provisions for abolishing certificate powers and Salami, allowing distribution fee at four p. o. in part sale, and rights of trees and occupancy right to the under-tenants. The Bill also made provisions for speedy realisation by distraint of crops and for declaring the raiyats as habitual defaulters if they fail to pay tax continuously for four years.

#### ADJ. MOTIONS ON COMMUNAL DISCORD

Mr. *M. Yunus* next moved an adjournment motion to discuss the highhandedness of Police officers on Muslims in Monghyr District. He read extracts from a report in a Calcutta paper and placed the results of his own enquiries which, he said, formed the basis of the motion. He added that the Muslims in the village of Gyari Nabiganj had been disallowed to draw water from the village well as a sequel to the visit of a butcher to the village. Later, when the police were informed, local officers forced the Muslims to undertake not to eat and not to bring beef into the village. He stated that he did not want to embarrass the Government but wanted a clear statement regarding the right of Muslims to take beef. He further alleged that the Muslims of the village had been subjected to prolonged wrongful confinement by the police. The *Prime Minister*, replying, said that the Government had asked the District Magistrate to make enquiries into the matter. The latter reported that a Mahomedan had been prevented in January last from taking water from a well, but a police officer induced both the parties to an amicable settlement whereby Muslims undertook not to eat and not to bring beef into the village. Regarding the charge of confinement, the *Prime Minister* said that a separate case occurred six months after the first incident. The matter was still sub-judice and two versions had been given of the incident. The Moslem version was that Moslem masons employed by a Hindu had been assaulted on refusing to work as a protest against low wages. The other version was that a dispute had arisen for non-payment for cloth taken by the Muslims in which a Hindu was seriously injured. Hence, the police arrested certain Muslims, but later released them. There had been no wrongful confinement. Mr. *Yunus* asked for a closure of the debate to which the Congress members objected. Thereupon the Muslim members walked out as a protest, being led by Mr. *Yunus*, the motion itself being talked out.

**28th. July :—**Mr. *Girindapati Tewari* (Coalition) sought permission of the House to move an adjournment motion to discuss the action of the district authorities at Bhagalpur in refusing to give permission to the Rathajatra procession to proceed along a certain route. The *Prime Minister*, objecting to the motion, said the subject matter of the adjournment motion was not a recent one and was not urgent. *Sir Ganesh Datta Singh*, Mr. *C. P. N. Sinha* and some Congress members expressed the opinion that since the Rathajatra had not been taken to the terminus and differences were still unsettled, the matter was fit for an adjournment motion.

The *Speaker* upheld the *Prime Minister's* objection that since the subject matter of the adjournment motion happened a long time back, it was not an urgent matter. Hence it could not form a matter for an adjournment motion.

#### THE TENANCY AMEND. BILL (CONTD.)

The new Bihar Tenancy Amendment Bill, as reported by the Select Committee after recommitment, went through the first reading with hardly any opposition. The *Prime Minister*, replying to the discussion, said that the Bill was intended to give the maximum amount of relief to tenants without doing harm to the zamindars. While championing the cause of the tenants, he did not want to injure in any way the who zamindars were also his countrymen.

**2nd. AUGUST :—**The Assembly discussed the Tenancy Bill till the 1st. August and resumed consideration to-day when a division was called on an amendment moved to

clause 34 of the Bill relating to distribution of rent by agreement between landlord and tenant in the case of transfer of a portion of a holding. The amendment, which was moved by Mr. *Mohammad Tahir* (Muslim Independent Party), sought that distribution of rent may be settled between the transferor and transferee and if the landlord was informed within one year of such transaction, the agreement arrived at between the transferor and transferee shall be binding on the landlord. The amendment was defeated by a large majority.

The consideration of the clause in the Tenancy Bill relating to the provision for distraint of crops was responsible for much heated discussion.

Mr. *Mohammad Tahir*, supported by Mr. *Shyamnandan Singh* (Congress Kisan member) moved an amendment seeking deletion of the clause and characterised the provision as the most disagreeable feature of the Bill. They maintained that Kisans had not defaulted willfully but had been forced to do so by circumstances beyond their control. Mr. *C. P. N. Sinha*, Leader of the Opposition, said that Kisan representatives made speeches which were more in the nature of propaganda. The provision was not against Kisans generally but against defaulters. The idea underlying the opposition to the clause was avoidance of payment of rent. The *Advocate-General*, appealing for a dispassionate consideration of the provision, said that it had existed before and had been sparingly used. There was no reason, in his opinion, why it should be used more frequently in the future. He assured the House that the rules to be made by the Government for control of procedure with regard to applications for distraint would be such as would avoid harassment of tenants. The amendment was lost by 76 to 14 votes. Seven Congress Kisan members remained neutral.

**3rd. AUGUST :—**The Assembly to-day passed the Bihar Tenancy Amendment Bill with slight changes. The Bill is intended to supplement the previous tenancy legislation, which resulted in the first Congress-Zemindar agreement, by implementing certain provisions whose enforcement had been kept in abeyance. Primarily, the Bill aims at ensuring to the ryot the enjoyment of his rights subject to payments due to the landlord on account of rent for the use and occupation of land. The Bill, therefore, provides for the repeal of the sections dealing with the right of landlords to take out certificates for recovery of arrears of rent, abolition of transfer fee and the definition of the rights of the ryots in trees, plantations and jalkar (tank) in their holdings. The Bill further provides for the conferring of these rights upon the transferee. Provision has also been made for simplifying the rules of procedure so as to ensure cheap and expeditious disposal of suits and proceedings for recovery of rent. These proceedings will be conducted by revenue officers instead of by civil courts.

It will be recalled that the Bill created a storm of protest from the Zemindar representatives in the Assembly when the restoration of the Bakasht Lands Bill was being discussed. The Zemindars complained that the provisions for speedy realisation of rents by Zemindars were not adequate in the Bill and the Government had given no assurance to zemindars in this respect since the provision for speedy realisation of rent formed one of the principal items in the Congress-Zemindar Agreement. A deadlock having been created in the passage of Bakasht Lands Bill, a compromise was ultimately effected outside the House between the points of view of the parties concerned through the mediation of Maulana Abul Kalam Azad, after which the Bill was again submitted to a Select Committee. The House adjourned till August 15.

#### ADJ. MOTION ON COMMUNAL DISCORD

**15th. AUGUST :—**After the question hour to-day, the Hon. *Speaker* informed the House that Mr. *Mohammad Yunus*, leader of the Muslim Independent Party had intimated his intention of moving an adjournment motion to discuss the negligence on the part of the Government in dealing with the situation arising out of the communal disturbances at Bhagalpore. The Hon'ble Mr. *Anugrah Narayan Sinha* pointed out that the motion was not in order. His contention was that it raised discussion over an issue with regard to which the House had already given verdict a few days ago. The *Speaker* ruled the motion out of order on the ground that it did not raise any definite issue of recent occurrence. The matter was also sub-judice and the subject intended for discussion meant to rake up old issues.

The *Speaker* next announced that Mr. *Tajamul Hussain* had given notice of moving an adjournment motion to discuss the steps that were taken by Government regarding the floods in North Bihar with a special reference to the case of Sitamarhi. The Hon'ble Mr. *Anugrah Narayan Singh* said that the Prime Minister

has personally left for the affected areas to acquaint himself with the real situation. He therefore thought that the mover would better withdraw his motion in view of the fact that on his return the Prime Minister would make a statement on the subject on the floor of the House. Thereupon Mr. *Tajamul Hussain* withdrew his motion.

Thereafter Mr. *Anugrah Narayan Sinha* presented the second Supplementary Statement of Expenditure for the year 1938-39.

#### MONEY-LENDERS' AMEND. BILL

Mr. *Anugrah Naryan Sinha* next moved that the Bihar Money-lenders' (amendment and application of pending suits and proceedings) Bill 1938, be taken into consideration. The object of this Bill is to remove the doubt which has arisen whether certain provisions of the Bihar Money-lenders' Act 1938 apply to the suits, appeals and proceedings pending on the date on which the said provisions come into force.

The opportunity is being taken to introduce another very necessary amendment to the section 8 of the Act. It was intended that money-lenders should have at least six months time to get themselves registered under the Act before they can be debarred from suing to recover their dues. The section as it stands requires the period to be calculated from the date of the commencement of the Act. In view of the fact that some sections of the Act have been brought into force with effect from the 15th July, 1938, that day may for the purposes of section 8 be interpreted as the date of the commencement of the Act. But since the registration sections cannot be brought into force until necessary rules have been framed and finally published, any interpretation as above is likely to place the money-lender in a difficult position and he may not have sufficient time for registration as was originally intended. It has therefore been necessary to introduce the proposed amendment to section 8 of the Act.

Clause 3 of the Bill enacts that a money-lender shall be entitled to interest of 9 per cent in the case of secured loan advanced even before the enforcement of this Act and the court shall pass award interest accordingly against the debtor in all money suits and money appeals that have been instituted before the enforcement of the Act and are still pending. After a mild opposition the clause was passed. The House then passed the entire Bill.

#### BAKASHT LANDS RESTITUTION BILL (CONTD.)

The Assembly then gave its assent to all the amendments made by the Upper House to the Bihar Restoration of Bakasht Lands and Reduction of Arrears of Rents Bill.

#### MONEY-LENDERS' BILL (CONTD.)

**16th. AUGUST :—**The Assembly sat only for an hour to-day and passed the Bihar Money-lenders' (Amendment and Application to Pending Suits and Proceedings) Bill. The House then adjourned till August 18.

#### SUPPLEMENTARY BUDGET DEMANDS

**18th. AUGUST :—**The Assembly took up voting on supplementary budget demands to-day. Mr. *Sri Krishna Sinha*, Prime Minister, moved a demand under the head "General Administration" for a grant of a token sum of Rs. 15 in connection with placing on a permanent basis the recently created post of Assistant Secretary to the Legislative Department, in view of the increased work relating to drafting of bills. Mr. *Mahomed Shafi* suggested that the post should have gone to an unemployed person. He objected to a salary of Rs. 600 being allowed to this post, when according to the Congress ideal the Viceroy was not entitled to get more than Rs. 500, which was the sum being drawn by the Ministers. Some Congress members defended the creation of the post, while others warned the Government against making the administration top-heavy. The Prime Minister, replying to the debate, said that his Government did not need to be reminded about the necessity of economy, but the problems of the people were numerous and a large number of Bills were in the offing. Hence the post had to be made permanent. The cut motion was lost by 75 votes to 15. The House adjourned till August 22.

**22nd. AUGUST :—**Mr. *Mohiuddin Ahmed* next moved a cut motion to disavow the Government's proposal to subscribe to the United Press of India, which was,

rejected without division and the Assembly carried the supplementary demand for Rs. 2,700 to be utilised for subscribing to the United Press News Service. Only a few supplementary demands were discussed, the chief being one under co operation, and the rest passed under the guillotine, to-day being the last day for voting on demands.

The agrarian and rural development policies of the Government came under the criticism of the opposition on a motion by Sir G. D. Singh, when the demand under head 'General Administration' was moved. Sir Ganesh said that private irrigation works had fallen into disrepair due to lack of cooperation between landlords and tenants for which the Government's agrarian policy was largely responsible. After the Minister's reply the cut motion was withdrawn. Moving a cut against the provision for the rural development scheme, Mr. *Mohammad Shafi* uttered a caution against bringing hero worship by following the life and teachings of Mahatma Gandhi as outlined in the scheme. He added that rural development needed a scientific enquiry and not hero worship. Sir G. D. Singh considered the scheme as idealist and unpractical. After a reply by the Government member the cut was, however, withdrawn. The House then adjourned till the next day, the **23rd August**, when it was *prorogued*.

## The Behar Legislative Council

**Autumn Session—Patna—4th. July to 24th. August 1938**

### THE PROHIBITION AMEND. BILL

The Autumn Session of the Bihar Legislative Council commenced at Patna on the **4th. July 1938** with the Hon'ble *Kumar Rajiva Ranjan Persad Singh* presiding. The Bihar Prohibition Bill, which was sent back to the Assembly by the Upper House with several amendments, and was again returned to this House with a few amendments made by the Assembly, was considered. One amendment made by the Assembly related to the exemption given to the Roman Catholic Church and the Church of England from the operation of certain provisions of the Act, which the House accepted. Certain members suggested that the exemption be extended to all Christian Churches, but the proposal was not accepted.

### THE MEMBERS' SALARIES BILL

The Council next took up for consideration the Members' Salaries Bill as passed by the Assembly. Some Opposition members objected to the system of salary as they held it was derogatory on the part of the members of the House to accept salaries while others considered a salary of Rs. 75 per month very small. *Khan Bahadur Ismail*, Leader of the Opposition, wanted members to be patriotic enough to render service to the country without remuneration. Mr. *Baldeva Sahay*, Advocate-General, replying, said that payment of salaries to the members was an established practice in most parliamentary bodies, including the Mother of Parliaments and added that the Government expected to effect a saving by payment of salaries instead of various allowances given at present to members. When the House took up consideration of the Bill two amendments were moved on behalf of the Government giving members the option to avail themselves of the salary or not. Both the amendments were accepted.

**5th. JULY :—**The Council passed to-day the Members' Salaries and Allowances Bill, as passed by the Assembly. Two amendments seeking to raise the members' monthly salary from seventy-five rupees, as adopted by the Assembly, were rejected but the House adopted an amendment raising the travelling allowance from four third class railway fares to one and half second class. The House then adjourned till the **8th. August**.

### THE CHAMPARAN AGRARIAN AMEND. BILL

**8th. AUGUST :—**Mr. *Brijnandan Prasad* introduced to-day the Champaran Agrarian amendment Bill and moved that it be taken into consideration. While moving the

same Mr. Prasad said that in the district of Champaran, there is a big estate called Bettiah Raj. The Europeans began to take lease of its lands for indigo planting. When their number increased their position became strong. The Bettiah Raj ran in debt and the Manager arranged loan of a very large amount by granting Mokarari in favour of the Europeans. This grant of Mokarari consolidated their position very much. They took to indigo and sugarcane planting. When the sugarcane cultivation grew less profitable to them, they abandoned it and exerted themselves to improve indigo plantation. They began to induce the tenants to grow indigo. The rayats were forced to cultivate indigo on three kattahs of land of every bigha. This 'tinkathia' system proved much troublesome to the tenantry. It ultimately became unpopular to them. The miserable condition of the tenants of Champaran due to this 'tinkathia' system drew the attention of the Indian National Congress. Mahatma Gandhi arrived in Champaran and started Satyagraha against the oppression of the tenantry at the hands of the indigo planters. The Government of the time appointed a committee called the Champaran Agrarian Committee of which Mahatma Gandhi was a member. This committee made certain recommendations on the basis of which the Champaran Agrarian Act of 1919 was passed by the then Bihar Council. This Act abolished the 'tinkathia' system. Indigo planters in lieu of the abolition of this system of the planters enhanced the rent of the tenants. This enhancement of rent operated harshly against the tenants. For the sake of equity and justice, the present Government thought it highly desirable to knock off all enhancements. With a view to wiping out all enhancements, the present Champaran Agrarian amendment Bill was introduced in the Council.

The motion for consideration was then unanimously adopted. The Bill was then taken up clause by clause and passed by the House.

#### RESTORATION OF BAKASHT BILL

Mr. Rai Brijraj Krishna then introduced the Bihar Restoration of Bakasht Lands and Reduction of Arrears of Rent Bill. He said that an economic depression came and hit the poor kisans very hard. During 1929 and 1937, the kisans of Bihar suffered considerably due to economic depression. They could not pay rent to their landlords as a result of which their holdings were sold in execution of rent decree. Justice demanded that the lands which were sold away by the landlords and were still in their possession should be restored to the tenants. This Bill therefore laid down for the restoration of such lands to the tenants. This Bill also provided for reduction of arrears of rent.

**10th. AUGUST** —The Bill was discussed till to-day when all the amendments were rejected on the ground that they were against the terms of the compromise entered into between the Congress and zamindars. The House negatived the amendment which sought to provide that the lands of the tenure-holders of the province should also be restored to them from the possession of the landlords. The House adopted the amendment of Mr. Brijnandan Prasad providing the amount payable by the tenant for getting the lands restored for zamindars. The House next adopted the schedule laying down the areas of lands which would be liable to be restored. The petty landlords were exempted from restoring the lands to their tenants.

#### THE TENANCY AMEND. BILL

**12th. AUGUST** :—The Council passed the Restoration of Bakasht Lands Bill and next took up the general discussion of the Bihar Tenancy Amendment Bill as passed by the Assembly. Khan Bahdur S. M. Ismail, Leader of the Opposition, dwelt on the general aspects of the Bill and expressed the zamindars' point of view. He suggested that the House should transform itself into a Committee of the members present in order to discuss the numerous amendments to the Bill that had been tabled and adopt or reject them informally before they were moved on the floor of the House. This method, said Mr. Ismail, would expedite the passage of the Bill. He added that a similar procedure had been adopted by the Central Assembly when the resolution of the Salt Tax was being discussed. The Government approving of the Opposition leader's suggestion, the House agreed to it. The President then adjourned the House until 12-30 p. m. when it transformed itself into a Committee in order to discuss the amendments.

**22nd. AUGUST** :—The Council passed to-day the Bihar Tenancy Amendment Bill, as passed by the Assembly, with slight changes, after which it took up general discussion of the Bihar Money-lenders' Bill as passed by the Assembly.

**23rd. AUGUST :—**An adjournment motion, which was given notice of by *Khan Bahadur S. M. Ismail*, leader of the Opposition, yesterday, with a view to discussing the order of the Sub-Divisional Officer of Bihar Shariff requiring licensees to deposit guns, was talked out this afternoon. The order was a sequel to a recent communal clash in a village in Bihar Shariff sub-division in Patna district, in which several Hindus and Muslims were injured. The *Finance Minister* pointed out to the House that the communal tension in the locality was abnormally high and the people had been disarmed to prevent the use of fire-arms in any communal strife. The order of the Magistrate was purely meant to prevent any communal clash.

The Council then adjourned till the next day, the **24th. August**, when it was *prorogued* after a day-long discussion of the supplementary budget demands for grants as passed by the Assembly.

### Acts Passed by the Behar Legislature in 1937-38

1. **The Bihar Ministers' Salaries' Act, 1937** (Bihar I of 1937). To determine the salaries of the Hon'ble Ministers.

2. **The Bihar Legislature (Officers' Salaries) Act, 1937** (Bihar II of 1937). To fix the salaries of the Speaker and the Deputy Speaker of the Assembly and of the President and the Deputy President of the Council.

3. **The Bihar Legislature (Removal of Disqualifications) Act, 1937** (Bihar III of 1937). To declare that the holders of the offices of Advocate General and Parliamentary Secretaries and persons holding commissions in certain branches of the army and also certain classes of employees of State Railways shall not be disqualified for being chosen as or for being members of the legislature.

4. **The Bihar Famine Relief Fund (Expenditure) Act, 1937** (Bihar IV of 1937). Does away with the necessity of annual appropriations for Famine relief and provides that any expenditure required to be incurred in any financial year under subsection (2) of section 7 of the Bihar Relief Fund Act, 1936, shall be charged on the revenues of the province.

5. **The Bihar Entertainments Duty Act, 1937** (Bihar V of 1937). To impose, for revenue purposes, a tax on all payments for admission to any public place of entertainment.

6. **The Bihar Stamp (Amendment) Act, 1937** (Bihar VI of 1937). Enhances the rates of stamp duties on certain instruments, etc., with the intention of increasing the provincial revenue.

7. **The Bihar Sugar Factories Control Act, 1937**, (Bihar VII of 1937). Replaces the Indian Sugarcane Act, 1934, and is more comprehensive in scope, provides ample opportunities for improving and tonning up the sugar industry and the cultivation of sugarcane and checks unhealthy competition tending to jeopardise the interest of sugarcane cultivators.

8. **The Bihar Tenancy (Amendment) Act, 1937** (Bihar VIII of 1937). To mitigate some of the hardships which the tenantry of the province had been labouring under as a result of the operation of some of the antiquated provisions of the old tenancy law. Abolishes danabandi, makes commutation of rent compulsory when applied for, reduces the rate of interest on arrears of rent, penalises illegal exactions, provides for reduction of rent in certain cases and sale of only a part of a holding in execution of rent decrees, recognises partition among co-riyats and does away with imprisonment of tenants for arrears.

9. **The Bengal Troops Transport and Travellers' Assistance Regulation (Amendment) Act, 1938** (Bihar I of 1938). To repeal section 8 of the Bengal Troops Transport and Travellers' Assistance Regulation, 1806, providing impressment of transport which is repugnant to modern conditions and inconsistent with the International Convention on forced labour.

10. **The Chota Nagpur Tenancy (Amendment) Act, 1938** (Bihar II of 1938). To mitigate the hardship of the tenantry on account of the operation of some of the provisions of the Chota Nagpur Tenancy Act, 1908. Besides giving other facilities, it regulates the fees chargeable by Land-lords for registering transfers, abolishes danabandi, provides for assessment of rents for newly converted korkar lands by the

Deputy Commissioner and settlement of a fairer and more equitable rent whenever necessary. It also concedes a right of transfer, though necessarily limited, to the raiyats of Chota Nagpur. Similar facilities as those provided by the Bihar Tenancy (Amendment) Act for the raiyats of Bihar have been made available to the raiyats of Chota Nagpur by this Act.

11. **The Bihar Money-Lenders Act, 1938** ( Bihar III of 1938 ). To give relief to debtors generally by preventing the exaction of usurious rates of interest and by regulating the business of money-lending.

12. **The Bihar Stamp ( Amendment ) Act, 1938** ( Bihar VI of 1938 ). To exempt instruments of divorce whereby Muslims effect dissolutions of their marriages from the imposition of any Stamp duty under Article 29 of Schedule I-A to the Indian Stamp Act, 1899.

13. **The Bihar Money-Lenders' ( Amendment and Application to Pending Suits and Proceedings ) Act, 1938** ( Bihar V of 1938 ). To make it clear that the provisions of the Bihar Money-Lenders' Act 1938, apply also to pending suits, appeals and proceedings and to make section 8 of the said Act applicable from the date of its enforcement.

14. **The Bihar Prohibition Act, 1938** ( Bihar VI of 1938 ). To implement Government's Policy in regard to the prohibition of liquor, tari and intoxicating drugs. It authorises Government to introduce prohibition in selected areas of one or more excisable articles and penalises all traffic and consumption of intoxicants.

15. **The Bihar Agricultural Income-tax Act, 1938** ( Bihar VII of 1938 ). To augment the small revenues of the province by taxing agricultural income on a graduated scale, exempting petty landlords and smaller cultivators with income below Rs. 5,000.

16. **The Bihar Legislature (Members' Salaries and Allowances) Act, 1938** (Bihar VIII of 1938). To determine the salaries and regulate travelling allowances of the members of the Bihar Legislature.

17. **The Bihar Restoration of Bakasht Lands and Reduction of Arrears of Rent Act, 1938** (Bihar IX of 1938). To provide for the restoration of certain lands to the former tenants thereof and the reduction of arrears of rent in certain class of cases.

18. **The Champaran Agrarian (Amendment) Act, 1938** (Bihar X of 1938). To cancel all enhancements made in the district of Champaran by landlords after releasing their tenants from the obligation to grow indigo.

19. **The Bihar Tenancy (Amendment) Act, 1938** (Bihar XI of 1938). To repeal those sections of the Bihar Tenancy Act which deal with the right of the landlords to take out certificates for recovery of arrears of rent, to abolish landlords' transfer fees (viz 8 per cent Salami) and to define the rights of the raiyats in trees, plantations and Jalkar in their holdings. It also simplifies the rules of procedure so as to ensure cheap and expeditious disposal of suits and proceedings for recovery of rent.

# The Assam Legislative Assembly

Autumn Session—Shillong—5th to 19th September 1938

## SYLHET TENANCY AMEND. BILL

The autumn session of the Assam Legislative Assembly commenced at Shillong on the 5th. September 1938, with *Sj. Basanta Kumar Das*, the Speaker in the Chair.

*Mr. Rohini Kumar Choudhury's* Sylhet Tenancy (Amendment) Bill was referred to a Select Committee. The Revenue Minister pointed out that, as there were some private members' Bills on the same subject, there would be no objection to a discussion on the provisions of those Bills in the Select Committee.

## GOALPARA TENANCY AMEND. BILL

*Mr. Rohini Kumar Choudhury's* Goalpara Tenancy (Amendment) Bill was next referred to a Select Committee. The Revenue Minister said that in this case, too, there being private members' Bills on the same subject, the provisions of those Bills could be discussed in the Select Committee.

## POSTPONEMENT OF DECREES BILL

The same Minister's Temporary Postponement of Execution of Decrees Bill was circulated for eliciting public opinion before November 30 next. He pointed out that by the Bill relief was sought to be given to labourers and cultivators. He referred to clause 3 of the Bill, which dealt with the stay of the execution of certain decrees, and to the schedule which sought to add to the agriculturists class, agricultural labourers, general labourers, cowherds, goatherds, dairyman and others.

## OTHER BILLS

*Mr. Nichols Roy's* Assam Municipal (Amendment) Bill passed into the consideration stage.

*Mr. Akshay Kumar Das's* motion, that the rules of the Assam Legislative Assembly as drafted by the Committee under section 84 (1) of the India Act, be taken into consideration, was passed by the House.

*Maulvi Abdul Matin Choudhury's* Civil Procedure (Assam Amendment) Bill also passed into the consideration stage.

## NOMINATION TO LOCAL BOARDS

The adjournment motion moved by *Mr. Onzo Kumar Das* (Congress) to raise a discussion on the manner of nomination to various Local Boards after the last general election was talked out after a full-dress debate for about 2 and a half hours. The Opposition levelled their charges in course of discussion on the adjournment against the Ministry of utilising the power of nomination as a sort of bribery for strengthening the position of the Ministry.

## RENEWAL OF TENDERS

**6th. SEPTEMBER :—**After interpellations to-day, *Mr. Rabindra Nath Aditya* asked the leave of the House to move an adjournment motion to censure the Government for their acceptance of the tender of the Commercial Carrying Co., for operation of motor transport service on the Gauhati-Shillong Road without giving the members of the Assembly a chance to express their opinion thereon. The necessary leave being granted the Hon'ble Speaker fixed 2-30 p. m. for discussion of the motion. At the appointed hour the motion was taken up and talked out after a prolonged debate.

## LOCAL SELF-GOVERNMENT AMEND. BILLS

**7th. SEPTEMBER :—**The Assembly, to-day, after a prolonged debate in which the Deputy Leader of the European Group took a prominent part, rejected a motion for reference to a select committee of the Assam Local Self-Government Act

(Amendment) Bill sponsored by Mr. *Siddhi Nath Sarma* (Congress). The Bill was introduced at the previous session and was circulated for eliciting public opinion. The Bill aimed at making the constitution of local bodies entirely based on election, doing away with nomination and giving to representatives of the people full control over the administration of local boards as also minimizing the control of immediate officials.

**8th. SEPTEMBER** :—Discussion was resumed to-day on Mr. *Lakeshvar Barooah's* motion for sending his Assam Local Self-Government Bill of 1937 to a Select Committee. There was a trial of strength between the Ministerial Party and the Opposition, the Congress Group. The Ministerialists eventually defeated the motion by 50 votes to 37. There were several absentees in the Congress ranks, while some of their supporters remained neutral. The European Group voted with the Ministerial Party.

#### GOALPARA TENANCY AMEND. BILL

**9th. SEPTEMBER** :—The discussion of the motion of *Sj. Jogendra Chandra Nath* for referring the Goalpara Tenancy Amendment Bill to a Select Committee was resumed to-day after the interpollation period. The Hon. *Sj. Rohini Kumar Choudhury*, Revenue Minister criticised the provisions of the Bill and compared those provisions with those provided in the Bill introduced by the Government. He said that the Government Bill to that effect was not brought in a half-hearted manner and it was brought not with a motive to protect the vested interests of the landholders. The Government Bill, he said, if passed, would give some amount of relief to the tenants.

#### QUESTION OF PRIVILEGES

**10th. SEPTEMBER** :—The *Speaker*, in the course of a lengthy statement to-day, called upon the members to consider whether the House should have certain set and definite rules laying down the procedure to regulate proceedings and conduct of that kind of business which they may from time to time be called upon to deal with in connection with breaches of the privileges of the House either by individual members or outsiders. Continuing the *Speaker* said: "In some legislatures in India the necessity of such legislation is being talked of. The desirability of an All-India uniformity for such a legislation is being realised. There is no legislation as yet on the legislative anvil in any province; but I feel it my duty to indicate to the members that if any Bill is shaped in any of the provinces on the basis of an All-India uniformity I may call upon the House to undertake such legislation in the interests of the dignity of the House." Detailing the examples of breaches of privileges and quoting extracts from some provincial newspapers which from time to time criticised the *Speaker*, and explaining the facilities afforded to the press representatives by the Assembly Department for reporting proceedings of the Houses, the Hon'ble *Speaker* said:—"The Hon. Members will realise that unless privileges of the House are definitely settled by legislation and remedies against breaches of these privileges are definitely prescribed by such legislation the House is almost powerless against attacks by outsiders. But in the meantime if the members so agree they may have Privileges Committee of the House and devise for the time being an intermediate procedure till legislation is undertaken as to how breaches of privileges are to be brought before the House and dealt with. Breaches of privileges committed in the presence of the Chair or by persons on whom the Chair can take disciplinary action under rules and regulations the Chair will be quite competent to deal with."

#### NO-CONFIDENCE IN THE MINISTRY

**12th. SEPTEMBER** :—Without any speeches, four no-confidence motions against the Saadulla Cabinet were moved to-day and leave was granted. As many as 51 members stood in their seats when the *Speaker* asked if the House was agreeable to grant leave for those motions. The following members asked for leave for their respective motions: (1) Mr. *A. K. Chanda*, Deputy Leader, Congress Party, (2) *Maulavi Mobarak Ali*, Secretary, Surma Valley United Muslim Party, (3) Mr. *Rabi Chandra Kachari* (Plains Tribal), and (4) Mr. *Lalit Mohan Kar*, Independent Party.

#### THE MINISTRY RESIGNS

**13th. SEPTEMBER** :—The hon. *Sir Mahomed Saadulla*, Prime Minister submitted the resignation of his Cabinet to-day. An announcement to this effect was made

by Sir Mahomed on the eve of the debate on the "no-confidence" motion. *Sir Mahomed* announced that he had submitted the resignation of his Cabinet to H. E. the Governor as he had found that several supporters of the Ministry had left his party and joined the Opposition. The announcement was greeted with cheers from Opposition benches. Mr. *Gopinath Bardoloi*, leader of the Opposition, paying a compliment to the outgoing Premier, admired the spirit of democracy displayed by Sir Mahomed Saadullah. Rai Bahadur *Promode Chandra Dutt* joined Mr. Bardoloi in paying compliments to Sir M. Saadullah. Replying to Mr. *Kamini Kumar Sen*, Sir M. Saadullah said that he had sent the resignation of his Cabinet to His Excellency Mr. G. P. Hogg, but had not yet received any reply from the Governor. Mr. *Basanta Kumar Das*, the Speaker, adjourning the House till Thursday morning said that since the object of the "no confidence" motion had been attained he saw no reason for holding the debate on the motion. He expected that a new Ministry would be formed in the meantime. The House rose amid cheers of "Bande Mataram." \*

**15th. SEPTEMBER:**—When the Assembly met to-day after yesterday's recess, the *Speaker* made the following statement:—"After the development that took place on Saturday last as a consequence of the no-confidence motion that came up before the House, the present Ministry resigned, and members are perhaps aware that no new Ministry has yet been formed, and that fact is proved by the presence of Hon'ble Ministers, who have resigned in their seats to-day. But I may tell the House that the Leader of the Opposition was called upon by His Excellency the Governor to form a Ministry and has been given reasonable time for it. "So far as the business of to-day is concerned I must draw the attention of members to the fact that although the Ministers are in their seats to-day they cannot function there with regard to questions and resolutions that are fixed for to-day, and therefore I have not asked the office to lay on the table of the House the members' answers to unstarred questions. If the members wish to go on with their questions they may do so, but I must point out to the members that no useful purpose would be served, because the Ministers cannot answer supplementary question that may arise and also with regard to starred questions they are in a similar position. So I wish to know whether the House wants to put the questions. "With regard to resolutions also, the Hon'ble Ministers will not be able to take any part and lay before the House the Government view. So if the House do not like to go on with questions or resolutions to-day, I must adjourn the House."

*Sir Muhammad Saadullah* said: "Although we tendered our resignation on Tuesday last, the Governor, for reasons known to him, has not yet been able to accept our resignation and therefore we shall continue as Ministers so long as a new Cabinet is formed, but the constitutional position is known to all the members that we should not do anything or take a stand with regard to any resolution with which our successors may disagree." Therefore, he added, the Ministry would not take part

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\*Sir Mohammed Saadullah's second Cabinet whose resignation was submitted to the Governor of Assam this morning consisted of the following:—Sir Mahomed Saadullah, Rev. J. J. M. Nichols Roy, Mr. Rohini Kumar Choudhuri, Maulvi Munawwar Ali, Mr. V. R. Abdul Matin Chowdhury and Babu Akshay Kumar Das. It will be remembered that on February 4 last Sir M. Saadullah submitted the resignation of his first Cabinet with a view to forming a stabler Ministry. In his new Cabinet Sir Saadullah replaced Mr. Ali Haider and Maulana Abul Nassr Md Waheed by Mr. Abdul Matin Chowdhury and Maulvi Munawwar Ali respectively and appointed Babu Akshay Kumar Das as additional member representing the minority community. Immediately after the formation of the second Cabinet the Opposition measured its strength with the Government by bringing forward a "no-confidence" motion on February 21. The motion, which was tabled by Mr. Abdur Rahman, when pressed to a division was rejected by the House by a majority of one vote (50 to 49). When the Assembly met for the present session the Opposition had a further accession to its strength by the secession of three tribal party members from the Ministerialist Party. Those members were seen occupying their seats in the Opposition bloc yesterday when leave was asked for the introduction of the "no-confidence" motion. The total Opposition strength at the time was 55 in a House of 107 comprising: Congress 33, Mr. Ali Haider's Party 10, Surma Valley Independent (Hindu) 6, Assam Valley (Tribal) 4, Assam Valley (Independent) 3.

in the debate. If private members who had tabled resolutions wished to discuss them, the Ministry would only listen, and they would not reply to anything. "Under the circumstances, I quite agree, that it will be best if the House do adjourn. So far as Government business for to-morrow and day after to-morrow is concerned, we do not propose to go on with it till a new Ministry is formed. Under the circumstances I will make a suggestion to you, Sir, to adjourn the House till Monday, so that in the meantime a new Ministry may come into existence and function properly from that date. The *Speaker* then adjourned House till Monday next.

#### CONGRESS COALITION MINISTRY FORMED

**19th. SEPTEMBER** :—Dramatic developments took place to-day as regards the formation of the Congress Coalition Cabinet and there had been hourly changes in the situation. Mr. *Gopinath Bardoloi*, the Congress leader, formed his Cabinet and it was announced in a *Gazette Extra-ordinary* issued at about noon. But before Mr. Bardoloi and his four colleagues could take the oath of office at 12-30 P.M., he received a message from the Government House to see the Governor and left at 12-45 P.M. This dramatic call by the Governor created a great sensation. The result of Mr. Bardoloi's interview with the Governor and the conversations at the interview were not known as they are kept strictly confidential. Meanwhile, the Assam Assembly met and on the request of Mr. Bardoloi, who announced the formation of the Congress Coalition Cabinet, the Speaker adjourned the House '*sine die*' at 12-15 P.M.

Earlier, the Opposition attempted to move a non-confidence motion (even before the Cabinet took the oath of office), but it was disallowed by the Speaker.

Subsequently the Constitutional difficulties having been solved, the members of the newly formed Congress Coalition Ministry in Assam took oaths of allegiance and office at the Constitutional Hall (Secretariat compound) in the afternoon. The Coalition Cabinet consisted of the following : (See Vol I p. XXVIII)

An intriguing situation however followed upon the formation of the new Ministry, under the leadership of Mr. *Gopinath Bardoloi*. All members of the Opposition met at the Committee Room of the Assembly under the chairmanship of Mr. *F. W. Hockenfull*. It was unanimously resolved that all 56 members still stood together and would continue to do so in all circumstances in opposition to the minority Government. Members stood up one by one, and reaffirmed their determination to stand by the position they had already taken up.

### Winter Session—Shillong—1st. to 9th. December 1938

#### NO-CONFIDENCE MOTION WITHDRAWN

The winter session of the Assembly commenced its sitting on the **1st, December 1938**. The motion expressing no-confidence in the Bardoloi Ministry, which was tabled immediately after its formation, in the last session of the Assembly, contrary to anticipation, was not pressed to-day. This, it was understood, was due to certain causes, one of these being that the number of members of the Cabinet when it was formed was five, while it now stood at eight. *Sir Mahomed Saadulla*, Leader of the Opposition, however, informed the House that they might move a fresh motion at a later date during the present session. It may be recalled that during the last session, notice of no-confidence motions were given before the oath-taking ceremony of the new Ministers. The Speaker informed the House that five members had dissociated themselves from the no-confidence motions.

The House, which met at 11 a. m., adjourned at 12-45 p. m., after passing a resolution, mourning the deaths of *Kamal Atatürk* and *Maulana Shaukat Ali*.

#### ADJOURNMENT MOTIONS RULED OUT

**2nd. DECEMBER** :—No Government business could be taken up to-day as full one hour after the interpellation period was occupied for discussing as to whether the adjournment motions, numbering 14, tabled by the Opposition were in order. Out of these 14 motions, only 6 were discussed and ultimately ruled out of order by the Hon'ble Speaker, Mr. *B. K. Das*. The motions related to :

- (1) Inadequate relief to the flood-stricken people of Goalpara.
- (2) Inadequate reduction of land revenue in Garo Hills, Sylhet and Cachar.
- (3) The threatened black-testing and eviction of some contractors from Forest Depot of Kukurmara etc.

(4) Inadequate provision for checking cholera epidemic in Habiganj.

The Hon'ble Speaker, at the conclusion of the day's sitting, administered a mild rebuke to the members of the Opposition by saying that the members while tabling a motion for adjournment of the House ought to make himself sure that the subject matter of such a motion could not be discussed through any other means, as for example, by putting questions or tabling resolutions. He added that the present day tendency in Parliament and elsewhere was to discourage as far as possible such motions.

**3rd. DECEMBER :—**The Opposition tabled four adjournment motions to-day. All of them were disallowed by the Speaker. The most important of the motions related to the arrest of Mr. Harendra Chandra Chakravarty, an Opposition member.

#### -DISPOSAL OF BILLS

After lunch, private members' business was taken up. Out of 33 Bills, the Assam Decree Settlement Bill was circulated for eliciting public opinion. Several bills were lost, the rest withdrawn or not moved.

Three important Bills, namely, the Assam Prohibition Bill and Assam Criminal Law Amendment Acts Repealing Bill, were withdrawn as the Government was already moving in the matter. The Premier, Mr. Bardoloi, referring to the Assam Criminal Law Amendment Acts Repeal Bill, pointed out that the Government was trying its best to repeal all repressive laws at the earliest date. At present it was scrutinizing the actual position in the province.

#### PAY FIXATION FOR SCHOOL TEACHERS

**5th. DECEMBER :—**For the first time since the formation of the Congress Coalition Cabinet, the Opposition under the leadership of Sir M. Saadulla measured their strength to-day when they refused to grant leave to a Coalitionist to withdraw his motion. The division resulted in fifty-two votes being cast in favour of Congress Coalition, while forty-six supported the Opposition. Mr. Lalit Kumar Kar (Coalitionist) had given notice of a motion recommending the fixation of a minimum rate of pay for lower primary school teachers in Assam. On Government's assurance, however, Mr. Kar desired to withdraw the motion. The Opposition refused to grant leave and demanded a division. The House divided with the above-mentioned result.

#### RELEASE OF POLITICAL PRISONERS

The announcement that the Congress Coalition Ministry were anxious to release immediately all prisoners convicted of crimes with political motive, was made by Premier Bardoloi to-day in the course of discussion on Mr. Arun Kumar Chanda's resolution urging immediate release of such prisoners. The resolution was accepted by the House without any dissentient.

#### CONSTITUTION OF INDUSTRIAL BOARD

Another resolution adopted to-day urged the Constitution of an Industrial Development Board, consisting of prominent scientists and industrialists with a view to preparing a scheme for starting new industries by tapping the splendid mineral and natural resources of the province.

#### NO-CONFIDENCE IN MINISTRY

**6th. DECEMBER :—**Four notices for motions of "No-confidence" in the Cabinet were submitted to the Secretary to-day. The notices stood in the names of Mr. F. W. Hockenbuhl, Leader of the European Group, Dewan Ahsab Choudhury, Mr. Maqbul Hussain Choudhuri and Mr. Mudabbir Hussain Choudhuri.

Two more motions of no-confidence in the Congress Coalition Cabinet also came before the House to-day. Mr. Maqbul Hussain moved two, but later withdrew one. One motion stood in the name of Mr. B. Sarwan. The House granted leave to move the motions separately. The Speaker fixed December 8 for discussion of the motions.

#### MINISTERS' SALARIES BILL

The Assembly passed the Assam Ministers' Salaries Bill, 1933, fixing Rs. 500 salary and Rs. 100 as house allowance and Rs. 100 as car allowance for each Minister.

NO-CONFIDENCE IN MINISTRY (CONT'D.)

**8th. DECEMBER :—**After a full-dress debate lasting over two hours and a half, the no-confidence motion moved by Mr. *Magbul Hussain Chowdhury* against the Bardoloi Cabinet was negatived by the Assembly to-day by 54 votes to 50, one member remaining neutral. The European group, which was the *primo mover* in the matter, threw off its mask and its leader, Mr. *Hockenull* was the principal oppositionist to attack the Congress. *Sir Muhammad Saadullah*, the ex-Premier, and *Maulvi Abdul Matin Chowdhury*, kept themselves in the background.

Thus the Congress position in Assam was firmly consolidated, and it was expected that no more plot against it will rear up its head. Meanwhile, it was reliably understood that the Ministry had passed orders for the release of all political prisoners in the province. The order awaited the approval of His Excellency the Governor.

That the Saadulla-ites had lost heart in their attack against the Congress Coalition Cabinet, was convincingly proved when none of the prominent Muslim Leaguers in the Assembly were found participating in the debate.

The principal speaker from the opposition was Mr. *F. W. Hockenull*, while on the other side it was Mr. *Arun Kumar Chandra*, Deputy Leader of the Congress party, who administered a scathing rebuff to Mr. *Hockenull*, whom he styled as being the 'de facto' Opposition leader for all what he had done with a view to rally the opposition in the Assembly against the present Ministry. The division list, however, disclosed that neither the eloquence of Mr. *Hockenull* nor the outbursts of Mr. *Rohini Kumar Choudhuri*, ex-Minister could convince the House to secure a verdict in favour of the motion under discussion.

That the Opposition had a very weak case to put forward, was proved from the fact that *Maulvi Magbul Hussain Chowdhury*, the mover, did not find anything wherebv to reply to the Ministerial attacks on them and consequently voluntarily waived his right of reply.

None of the ex-Ministers, barring of course Mr. *Rohini Kumar Choudhuri*, did open their mouths. They preferred to remain silent spectators to a fight which was in effect between the Congress Coalition and the European combine.

The motion was put to vote after a full dress debate lasting for about two hours and a half and at 4-40 p.m. the Hon'ble *Speaker* declared the motion lost by 50 to 54, one remaining neutral, amidst spontaneous and thunderous outbursts of joy. A huge crowd waited outside the Assembly Chamber to hear about the result of the voting, while the galleries within the Chamber accommodated visitors to their fullest capacity.

REMISSION OF LAND REVENUE

**9th. DECEMBER :—**The Assembly to-day rejected by 54 votes to 34 *Khan Bahadur Saiyid-ur-Rahman's* resolution to the effect that the remission in land revenue granted by the present Government for the year 1938-39 was inadequate and unsatisfactory. The debate on the resolution lasted one and a half hours. The House was then prorogued.

## The Assam Legislative Council

### August Session—Shillong—29th. August to 3rd. September 1938

**3rd. SEPTEMBER :—**The August-September session of the Assam Legislative Council commenced at Shillong on the 29th. August 1938.

*Rai Bahadur H. P. Barua* was elected President of the Council by 12 to 6 votes defeating his rival Mrs. *Zubeda Ataur Rahaman*, Dy. President of the Council.

*Sir Muhammad Saadullah*, the Premier, then placed before the House a note on the present financial situation of the province with reference to the actual receipts and expenditure for the year 1937-38 as compared with the revised figures.

## THE MONEYLENDERS' AMEND. BILL

**30th. AUGUST :—**After the interpellation period to-day, Khan Sahib *Maulvi Abdur Rahim Chaudhury* moved for consideration of the House the Assam Money-lenders' Amendment Bill which was introduced and passed in the Assembly. Mr. *Satyendra Lahiri* at the outset raised a point of order that unless it was redrafted and recast, it could not be considered as the Bill contained some provisions as regards promissory notes which was the exclusive jurisdiction of the federal legislature and the Provincial legislatures had no power in that direction. Hon'ble Sir *Md. Saddulla* maintained that there was no substance in Mr. Lahiri's point of order. The Hon'ble President *Rai Bahadur Herambu Prasad Barua* on hearing both sides reserved his ruling on this point till September 1.

## DEBT CONCILIATION AMEND. BILL

Khan Sahib *Abdur Rahim Chaudhury* next introduced his Debt Conciliation Act Amendment Bill. He stated that the Act of 1936 did not give any relief to the poor middle class people, whose condition, he said, was worse than that of the agriculturist. Mr. *Rohini Kumar Chaudhury*, Revenue Minister, said that the omission of Section 21 of the original Act as proposed in the Bill, would deprive the agriculturists from the benefits which were sought to be conferred by the Act. After some discussion the motion of Mr. *Satyendra Mohan Lahiri* that the Bill be circulated for eliciting public opinion before November 30, was adopted by the House.

## THE SYLHET TOWN LAND TENANCY BILL

Mr. *A. L. Blank*, Secretary, Legislative Council, laid on the table copies of the Sylhet Town Land Tenancy Bill which had already been passed by the Assembly.

*Maulvi Mahammad Ashaduddin Chaudhury* said that it was an extraordinary piece of legislation without any parallel in other parts of India. Mr. *Suresh Chandra Das* pointed out that the Bill had been thoroughly discussed in the Assembly, and the House should not therefore postpone its discussion.

Mr. *Rohini Kumar Chaudhury*, Minister, said that though the Government had opposed in the Lower House certain sections of the Bill which were of revolutionary character, for instance the conferring of occupancy rights on tenants in town lands, they would not oppose any discussion now. The Bill was then taken into consideration. After Mr. *Suresh Chandra Das*, *Maulai Ashaduddin Chowdhury* and *Rai Sahib Hem Chandra Dutt* had spoken, the House adjourned for the day.

## REVISION OF DOMICILE RULES

**31st. AUGUST :—**In spite of Government opposition the resolution moved by Mr. *Satyendra Mohan Lahiri* to-day for the revision of the provision relating to the acquisition of domicile in the province as laid down in the Assam Executive Manual was passed without any division. Mr. Lahiri, in moving the resolution, delivered a full one hour speech in course of which he said that the rule under Section 307 of Section 7 of the Assam Executive Manual was objectionable. It offended against Section 298 of the Government of India Act which laid down that persons were not to be subjected to disability by reason of race.

## CHANGE OF HOLIDAYS

The resolution of Khan Sahib *Maulavi Abdur Rahim Choudhury* recommending to the Government of Assam to change all sectional holidays into general public holidays was also passed to-day without division. Sir *Md. Saadullah*, the Chief Minister, opposed the resolution and in vain he tried to convince the House that there would be loss of money and loss of man power. *Rai Sahib Hemchandra Dutta*, *Sj. Suresh Ch Das*, *Mrs. Zubeda Ataur Rahaman*, *Rai Sahib Apurba Ghosh* and *Moulvi Rukknuddin Ahmed* supported the resolution.

## SUPPLEMENTARY DEMANDS

Discussion on the supplementary demands for grants for 1938-39 began after the interpellation period. *Sj. Suresh Chandra Das* at the outset criticising it said that he found that a lot of money was being spent and much more was necessary for carrying on research on sugarcane. But he regretted that it has not achieved the result that was expected from it. In conclusion, he offered his sincere congratulations

to the Finance Minister for having wiped out practically the whole of the burden to the Government of India from the current revenues without going into the necessity of floating a loan.

#### PRISONERS' PROBATIONAL RELEASE BILL

Hon. Mr. *Abdul Matin Choudhury*, in a brief speech, then moved for consideration of the Good Conduct Prisoners' Probational Release Bill 1937 and the motion was passed without any discussion. Two other Government resolutions were then passed.

#### MONEY-LENDERS' AMENDMENT BILL

**1st. SEPTEMBER** :—The *President*, giving his ruling to-day with regard to the point of order raised by Mr. *Satyendra Mohan Lahiri* with regard to the Assam Money-lenders' Amendment Bill said that it was unteuable. The present Bill, he said, was an amending bill and that the main Act had not been altered in any respect by the Government of India (Adaptation of Indian Laws). Order-in-Council would have been made in order to bring it in conformity with the provisions of the Government of India Act. The Bill also did not go beyond the scope of the main Act so far as its subject matter was concerned. Therefore it was difficult to hold that the Bill was a piece of legislation which touched any Federal subject. Continuing, the *President* said that the Bill proposed to amend the law relating to moneylending only and it was therefore explicitly within the powers of the provincial legislature. The Bill, as stated, was referred to a select committee.

#### SYLHET TOWN LAND TENANCY BILL

The amendments to the Sylhet Town Land Tenancy Bill 1937, as passed by the Assembly, was next considered. Maulvi Md. *Asaduddin Choudhury* moved an amendment to clause 3 of the Bill regarding the commencement of the Act. Mr. *Asaduddin* wanted that it should come into force on such date as the Provincial Government by notification in the official gazette may appoint in this behalf and not with retrospective effect as provided in the Bill. Mr. *Asaduddin*, in his brief speech, narrated the difficulties of the tenants, if retrospective effect was given. *Sj. Suresh Chandra Das*, and *Rai Sahib Hem Chandra Dutta*, opposed the amendment, while Mr. *Cooper* and Mr. *Monmohan Chaudhury* supported the amendment. When put to vote the amendment was passed, 10 voting for, 8 against. All the amendments to clauses 5, 6, 7, 12, 15 and 17 were passed without division. The bill again went to the Assembly for further consideration.

#### PATTADARS' RIGHT ON RELIGIOUS ENDOWMENTS

The House then carried a resolution moved by Mr. *Satyendra Mohan Lahiri* recommending to the Government that, in the case of all existing public, religious and charitable endowments in the temporarily settled estates of the Assam Valley Division, the record of rights might mention that the *pattadars* are holding the lands on behalf of the endowments. The object of his resolution, Mr. *Lahiri* said, was to prevent unscrupulous trustees from alienating or encumbering trust properties.

#### PARTIAL HOLIDAY IN RAMZAN

Khan Sahab Maulvi *Abdur Rahim Choudhury's* resolution recommending to the Government that during the month of *Ramzan* all the Government offices, including law courts, be closed at 3 p. m., on every working day, was withdrawn after the Premier, Sir Mahomed Saadullah, had pointed out the inequity of granting such concessions.

#### FLOOD MENACE IN ASSAM

**2nd. SEPTEMBER** :—*Rai Sahib Hem Chandra Dutt* moved a resolution to-day recommending the Government to appoint an expert to report on the causes of the floods in the province and to suggest means to avoid such calamities in future. The resolution was withdrawn after discussion.

#### RENEWAL OF DISQUALIFICATIONS BILL

**3rd. SEPTEMBER** :—The issue whether parliamentary secretaries should be appointed in Assam was raised to-day during the debate on a Bill which provided

exemptions in case of specified groups who might be debarred from being members of the legislature by virtue of the offices held by individuals in that category. The measure, called the Renewal of Disqualifications Bill, was passed after an amendment, which extended the exemption to part-time teachers in Government schools and colleges, and medical practitioners serving the Government part time. The amendment meant alterations in a measure already passed by the Lower House. The list of those exempted included parliamentary secretaries or parliamentary private secretaries.

Mr. *Sarat Chandra Bhattacharjee* moved for the deletion of parliamentary secretaries and said that he did not think that Assam needed such secretaries on a remuneration basis. His object was economy. When the Cabinet consisted of only four under the Montagu-Chelmsford scheme, people outside the inner circle of the Government said that there was not enough work for more than two men. If that view was true, then the popular Ministers should not have increased that number on April 1, last year. The new Cabinet began with five Ministers and the number was increased to six within ten months. The public did not know whether the increase was justified by an increase in work.

Mr. *Rohini Kumar Chaudhury*, Minister for Revenue pointed out that the Government were aware of an all-round demand for a curtailment of expenditure. The Lower House, which was extra-vigilant over expenditure, had already passed the Bill by an overwhelming majority. He also pointed out that all parliamentary private secretaries in England were not paid. Mr. *Satyendra Mohan Lahiri* said that if the office of parliamentary private secretary was not going to be an office of profit then there would be no need for provision contained in the Bill.

The Minister did not reply to this point. The amendment was lost by 11 votes to 4.

Khan Sahib *Rukunuddin Ahmed* moved for the deletion of part-time teachers. Khan Sahib *Abdur Rahim Choudhury* said that if part-time teachers were elected as members of the Legislature, efficiency would suffer. Mr. *Satyendra Mohan Lahiri* pointed out that in Bengal and Bombay part-time professors had been included in the list. The amendment was lost by the casting vote of the president.

#### PRISONERS' PROBATIONAL RELEASE BILL (CONTD.)

The House then passed the Good Conduct Prisoners' Probational Release Bill and adjourned.

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# The Punjab Legislative Assembly

Summer Session—Simla—21st. June to 22nd. July 1938

## OFFICIAL BILLS AND RESOLUTIONS

The summer session of the Punjab Legislative Assembly commenced at Simla on the 21st. June '38. Five official bills, one official resolution and one adjournment motion were disposed of. The official resolution which was passed read as follows:—"This Assembly do resolve that it is desirable that the following matters being matters enumerated in the Provincial Legislative list should be regulated in this province by an act of the Federal Legislature, namely, Statistics of Employment, the Offences Against and Jurisdiction and Powers of Courts with respect to the said Act of the Federal Legislature."

## RESTITUTION OF MORTGAGED LANDS BILL

**23rd. JUNE :—**The House took up to-day the Punjab Restitution of Mortgaged Lands Bill, which provided for termination of Mortgages of land by members of agricultural tribes before the coming into force of the Punjab Alienation Land Act of 1931. *Raja Narendra Nath*, member of the ministerial party, opposed the principle of the Bill. *Lala Mukundlal Puri*, another member of the Ministerial party belonging to the Hindu Urban group, made a fighting speech, in which he maintained that solemn declarations made in the past by Sir Fazli Hussain and Sir Sikandar Hyat Khan regarding the Land Alienation Act were being thrown to the winds. Mr. Puri moved that the Bill be circulated for public opinion. *Sir Gokulchand Narang*, member of the Opposition, delivered a trenchant attack on the Bill, saying that the principles of justice and fair play were not the strong points of the measure. The Premier made an exhaustive reply on the debate and maintained that the Bill merely sought to restore land which had gone out of the hands of agriculturists for five decades. There would not, he said, be even one single case wherein mortgages had not earned as much as three hundred per cent. After the Premier's reply, the motion to send the Bill to a Select Committee was put to vote and passed. A feature of the voting was that 11 members of the Ministerial party voted against the motion and the Congress Opposition sided with the Government, the votes of whom altogether comprised 103.

## LYALLPUR MUNICIPALITY NOMINATION

**24th. JUNE :—**The Assembly rejected to-day by 83 votes to 31 an adjournment motion by *Sardar Hari Singh* (Congress) censoring the Government for nominating 14 members to the Lyallpur Municipality as against 12 elected members. The mover objected "to the transfer of power from people's representatives to nominees of the Unionist party and the negation thereby of democracy in a democratic institution."

## MONEYLENDERS' REGISTRATION BILL

The House next passed without division reference to the select committee of the Bill for the registration of money-lenders. The motion to circulate the Bill for public opinion was defeated. The Hon. *Sir Sikandar Hyat Khan*, the Premier, during the debate, stated that the Government were drafting a Bill for the restriction of the purchase of land belonging to small agriculturists.

## MISCHIEVOUS STATEMENTS' SUPPRESSION BILL

**28th. JUNE :—***Sir Sikandar Hyat Khan*, Premier, announced to-day amid cheers that he would only introduce the Bill for the suppression of mischievous statements in press and platform and would not proceed with its other stages for the present. This decision, he said, was in deference to the wishes of his journalist friends, who had assured him that the Punjab Journalists' Association would take effective and voluntary steps to persuade and if necessary to coerce the irresponsible and disreputable section of the Punjab press against which the Bill was directed, to mend its ways. The Premier also dealt

with the other aspect of the Bill concerning public speeches. He said that some Congressmen had been carrying on a campaign against recruitment for the army. He got in touch with the Congress high command in this connection and learnt that they did not for a moment countenance such a campaign and in fact they could not do so while at the same time they were promoting schemes for military training. Again, some public men had been preaching hatred against the police calling them snakes and scorpions and suggesting that there could be nothing wrong in killing them. The Premier referred to the press comments on the Bill which he admitted had been generally unfavourable. He also met a deputation of the Punjab Journalists' Association who had been most helpful to him and had suggested that the evil which undoubtedly existed could be eradicated by other methods without going to the extent of surgical operation. He himself could not be satisfied that it was possible to remove this evil without drastic action, but his journalist friends assured him that the association would take effective measures against the irresponsible and disreputable section of the press and that the Premier should give them time to try this method and should agree in the meanwhile not to proceed with the measure.

#### HINDU WIFE'S RIGHT OF SEPARATION BILL

**29th. JUNE :—**Stormy scenes were occasioned today when a Congress member refused to withdraw certain words held to be objectionable by the House and the president, a Congressman. The Speaker, Sir *Sahabuddin* left the Chamber in charge of Mr. *Bhim Sen Sachar*, a member of the Congress party. During Mr. Sachar's chairmanship, Mrs. *Luni Chand* sought leave of the House to introduce a Bill giving the right of separation to a Hindu, Sikh or Jain wife in the Punjab who had suffered at the hands of her husband. *Chaudhri Ram Swarup*, a member of the Ministerial party, strongly opposed leave being given for the introduction of the Bill. He suggested that the Bill embodied the desire of city women to leave their husbands. (Excited cries :—No, No, withdraw). He emphasized that good Hindu wives never wanted to leave their husbands even after death (ironical cheers).

On the speaker intervening, *Chaudhri Ram Swarup* withdrew his words, and the leave for the introduction of the Bill was refused by 56 votes to 13, the Government benches voting against and the Congress members being divided. A number of Bills sponsored by the members of the Ministerial party were introduced and a large number of Bills was brought forward by the Opposition except the one not given leave for introduction. Among the Bills introduced were the Artificial Ghee Colourisation Bill and the Hindu and Sikh Bigamy Bill. The House then adjourned till the 1st July.

#### ABOLITION OF CHAHI RATES

**1st. JULY :—**Non-official resolutions were considered to-day. The first moved by Mr. *Sahib Ram* recommended to the Government to abolish Chahi rates (land revenue on lands watered by wells) forthwith. *Mir Magbool Mahmood*, Parliamentary Secretary, moved an amendment to the effect that along with a consideration of the recommendations of the Darling Committee and the Sources of Revenue Committee, the Government should take up the question of the abolition of Chahi rates so far as they were applicable to small cultivators, who cultivated their lands themselves. Mr. *Sri Ram Sharma* said the Congress considered the resolution to be a test resolution in order to gauge the genuineness of the Government's sympathy towards poor peasants. The Congress wanted by the passage of the resolution to benefit the poor agriculturists who cultivated their lands themselves. The Premier, the hon. Sir *Sikandar Hyat Khan* explaining the Government's standpoint, said that, carried to its logical conclusion, the argument could be used against taxing any industry in which the proprietor invested capital in installing machinery or otherwise. What the Government wanted to do was to give relief where relief was due, that is, to the poor man. But Chahi rate-payers were not all poor or down-trodden. There were rich men among them and by accepting the resolution, both the rich and the poor alike among this class would benefit while the poor among other classes, such as Barani or Nehari zamindars, would be without the much-needed relief.

The amendment was carried by 76 votes to 30 and the resolution, as amended, was carried without a division.

#### REPRESENTATION IN TARIFF BOARD

A resolution, recommending that due representation be given to the consumers' and growers' interests on the Tariff Board by the Government was next passed. The

mover, a member of the Unionist Party, declared that the Province suffered heavily owing to the neglect of the interests of growers and consumers. The Congress Party's spokesman, Mr. *Dunichand* expressed the opinion that it was wrong to seek representations on a body of experts. The hon. *Choudhury Sir Chhotu Ram*, Minister for Development, admitted that protection for national industries was necessary but it should be given on certain conditions and within specified limits. These limits had been transgressed on the Board. The House then adjourned till the 4th.

#### MOTOR TRAFFIC OFFENCES BILL

**4th. JULY:**—Due to technical flaws the consideration was postponed to-day of the Motor Traffic Offences Bill, which sought to obviate the necessity of a motorist who committed an offence away from his home town being present at his trial himself. When the Hon. *Sir Sunder Singh Maithia*, Minister in charge moved that the Bill as reported by the Select Committee be taken into consideration, Mr. *Manilal Kalta*, a Congress member objected to the motion. He argued that by passing this legislation even a European British subject could be tried by a third class magistrate which the present law did not permit. Therefore, under the Government of India Act, the Punjab Government should have taken the previous permission of the Governor-General before proposing to change the criminal law affecting Europeans. *Sir Shahabuddin*, the Speaker agreeing with the view put forth in reply by the Advocate-General, Mr. *M. Steem* that in framing the rules the Government would keep in mind the relevant sections of the Government of India Act, disallowed the objection, postponed the consideration of the Bill and adjourned the House.

#### LANGUAGE IN THE LEGISLATURES

**5th. JULY:**—A ruling was given to-day by the Speaker, *Sir Shahabuddin* when Dr. *Gopichand Bhargava*, the Leader of the Opposition and the hon. *Sir Sikander Hyat Khan*, Leader of the House expressed a desire that the members should be allowed to speak in the national language as the use of the English language was causing hardship and some did not understand it at all. Both Dr. Bhargava and the Premier spoke in Hindustani while making their submission. The point of order arose when the hon. Mr. *Manohar Lal*, Revenue Minister moved for consideration of the Punjab Land Alienation Amendment Bill as reported by the Select Committee and Dr. Bhargava began addressing the House in Hindustani. The Speaker gave the following ruling:—"Now that almost every Chamber in India has interpreted for practical purposes Section 85 of the Government of India Act, 1935, in the way they have done and this being the solitary House in the whole of India not doing justice, as others, to the language of the Province, if you Gentlemen want it, I shall accept your reasoning that you are unable to express yourselves in English as ably and efficiently as you would like, and will allow such of you as are convinced they are unable to express themselves in English to speak in the language of the Province".

#### PUNJAB LAND ALIENATION AMEND. BILL

*Rai Bahadur Mukund Lal Puri* then moved that the Punjab Land Alienation Amend Bill, as it had emerged from the Select Committee, be circulated for opinion, contending that the Bill had undergone vital changes in the Select Committee and circulation was all the more necessary now because it had not been given sufficient publicity in its original form. *Sir Gokul Chand Narang*, producing a bundle of telegrams, letters and representations sent to him, declared that the measure was obnoxious to all classes of people. He warned the Premier that if he ignored these representations, he would be digging the grave of his Government, as no autonomous Government could subsist on injustice. The hon. *Sir Sikander Hyat Khan*, Premier opposed the motion for circulation. The motion for circulation was rejected and the motion for consideration was passed without any one challenging a division. The Bill was then discussed clause by clause and for over an hour, a number of minor amendments to Clause 3 were considered and disposed of. The House then adjourned.

**6th. JULY:**—Resuming discussion on the Bill to-day, an important amendment designed to prevent retrospective effect being given to the clause declaring all benami transactions void, was moved by *Sir G. C. Narang* and spiritedly debated upon. Dr. Narang in a vigorous speech explained that benami transactions had been tolerated year after year by previous Governments in which many present Ministers also held office. *Raja Ghaznafar Ali*, in a strong defence of the Government's

position, contended that the amendment was out of order because it went against the clause itself. Rai Bahadur *Mukundlal Pari* quoted a judgment of Sir Shaha-buddin which he held proved that benami transactions were not hitherto held illegal but had been recognised perfectly legal and valid. The *Premier*, in a brief reply, said that the bill also intended that authorities empowered under the act should try to discover which of the transactions were dishonest and went against provisions of the land alienation act and which did not set aside those which were dishonest. The amendment was pressed to a division and lost by 81 votes to 10. The Congress remained neutral, while the majority of Raja Narendranath's party voted for the amendment.

Sir *Gokal Chand Narang* moved another amendment to the effect that mortgages and leases of less than twenty years' standing should not be interfered with by the Bill. Mr. *Mir Maqbool Mahmood*, on behalf of the Government, opposed it on the ground that the Government did not like to be an abettor of illegal transactions for twenty years. The amendment was rejected. A number of amendments were then moved and rejected and the House adjourned.

#### THE MONEYLENDERS' REGISTRATION BILL

8th. JULY:—Sir *Sikandar Hyat Khan*, Premier, made an important announcement to-day while speaking on a Government Bill. He said that the Government were determined to place agriculturist money-lenders on a par with non-agriculturist money-lenders. With that end in view, the Premier said the Government proposed to bring forward a Bill controlling agriculturist money-lenders and until that was enacted they would not place on the statute book the present money-lenders' Bill, which sought to control money-lending by non agriculturists.

#### RESTITUTION OF MORTGAGED LANDS BILL (CONTD.)

The Opposition made renewed efforts to-day to hold up the Restitution of Mortgaged Lands Bill. They moved that the Bill as it had re-emerged from the Select Committee be recommitted. The debate was remarkable for what was probably the longest speech delivered hitherto during the session. It was made by Mr. *Deshbandhu R. Gupta*, a journalist member of the House, who moved for recommitment and spoke with sustained vigour for over an hour and half in Urdu. Mr. Gupta strongly objected to the discriminatory provision that only certain types of mortgages should be set aside in this way. He wanted that the Bill should apply to all mortgages and should exclude from the benefit of restoration all big landlords living on unearned income and exclude destitute mortgages whose main subsistence was derived from mortgaged land. The Premier, Sir *Sikandar Hyat Khan*, attempted to dispel the fear that the Bill was likely to help big zamindars. There were only seventy-five really big zamindars in the province, who paid revenue between one thousand and five thousand rupees and of these only twenty-one would be affected by this Bill. Judging by these figures, could the House sincerely believe that the Bill would help big landlords at the expense of small ones? The motion for recommitment was rejected and the Revenue Minister's motion that the Bill be taken into consideration was passed. The House then adjourned till the 11th.

#### MONEYLENDERS' REGISTRATION BILL (CONTD.)

11th. JULY:—The Premier moved to-day that the Registration of Money lenders Bill, as reported by the Select Committee, be taken into consideration. Mr. *Sitaram*, a member of the Ministerial Party moved that the Bill be circulated for opinion by 1st October. Mr. *Maqbool Mahmood*, Parliamentary Secretary made it clear that the Bill dealt with professional money lending and therefore, there was no need for differentiation such as the previous speaker had urged. The penal clauses would come into operation only in cases of wilful evasion and not otherwise. There were 55,000 money lenders in the Punjab, which was, thus, a province more seriously affected by the problems attendant on uncontrolled money-lending than any other province in India. Every one of these money-lenders had on an average three hundred debtors whose lives and happiness they held in the hollow of their hands. Mr. *Devaraj Sethi*, moving for the recommitment of the Bill to a Select Committee said that this motion would not make any difference for it would not be placed on the Statute Book until a similar measure covering agriculturists was passed which could not be done this session. He urged the recommitment because he was sure that the measure was a political measure and

not an economic one for benefitting the poor agriculturists. Sir *Gokal Chand Narang* declared that even impartial people who had watched the progress of this Bill were convinced that it was being rushed through. The Bill, as it had emerged from the Select Committee, deprived the people of the right of carrying on money-lending business in the form of a company. He further examined the provisions of the Bill and declared that the Government's proposals were one sided in favour only of the debtor. Closure was applied and the Premier, the hon. Sir *Sikander Hyat Khan* replied to the debate. Sir *Sikander* said that one member had urged that previous debts should be excluded from the provisions of the Bill. The Premier explained that the Bill did not affect previous debts until the money-lenders committed irregularities. Moreover, if the irregularity was a stray case and was in respect of a small sum, he was still given an opportunity of appealing to the Commissioner against the forfeiture of his licence. The proposed legislation was much more lenient than the English Act in several respects. The Government were not rushing it through as it had been before the public for over 15 years and the Government had already received the opinions of 400 public associations and a large number of individuals. Proceeding, the Premier said that the Bill sought to control agriculturist money-lending also unless the agriculturist advanced money to his own tenant, for his own land. Thus, the agriculturist and non agriculturist money-lenders were both put on the same level.

#### LAND ALIENATION (3RD. AMEND.) BILL

In accordance with the announcement made by the hon. Sir *Sikander Hyat Khan*, Premier on Friday last that the Government were determined to place the agriculturist money-lender on a par with the non-agriculturist money-lender, a Bill called the Punjab Alienation of Land (Third Amendment) Bill was brought forward by the Premier. The Bill proposed to amend the Punjab Alienation of Land Act in such a way as to provide that no member of an agricultural tribe shall make a permanent alienation of any portion of his land to a member of the same tribe or to a tribe in the same group within five years of the date of repayment in full by the debtor (the former) of any loan advanced to him by such creditor (the latter).

#### MONEYLENDERS' REGISTRATION BILL (CONTD.)

**12th. JULY:—**The debate on the Money-lenders' Bill clause by clause was taken up to-day. A long series of amendments were attempted by the Opposition, but only a few of them were passed. The Congress Party generally took no decisive part in the discussions and on one important division of the day remained neutral. The Premier accepted the amendment of Mr. *Hira Lal* (Congress) which excluded from the meaning of a loan, "an advance made in kind by a landlord to his tenant for purposes of husbandry, provided the market value of the return does not exceed the market value of the advance as estimated at the time of advance. Another amendment, moved by *Lala Mukund Lal Puri* which was also accepted by the Government, defined that a deposit made by an employee with an employer as security was not a loan within the meaning of this Act. The House divided on the amendment to the effect that a loan advanced to a trader by anyone should not fall within the provisions of the Act. Only seven voted for and eighty against the amendment, the Congress Party not voting.

Among a few Opposition amendment accepted was one moved by Sir *Gokal Chand Narang*. This related to a sub-clause, which included the words "his husband or wife." Sir *Gokal Chand* caused laughter when he suggested that he had not heard of any man having a husband and added that if however the Government benches insisted on retaining the words intact, he had no objection. Eventually the word "his" was agreed to be deleted. A keen debate followed on the amendment moved by *Lala Sitaram*, a Ministerialist, to the effect that the provisions of the Act shall not apply to an unregistered money-lender who "winds up his business of money-lending and does not renew any existing loan nor advances any fresh loan after the commencement of this Act, but confines himself to the realisation of his outstanding loans, subsisting before the commencement of this Act." Sir *Gokal Chand Narang* further elaborated the point and argued that the Premier had been declaring repeatedly that his object was to weed out dishonest money-lenders. If certain money-lenders wished to weed themselves out, why should obstacles be placed in their way by requiring them to get themselves registered?

The Premier emphatically rebutted the contention that the Bill was intended to wipe out debt. Its object was regulation in the interests of honest money-lenders.

Only dishonest money-lenders would like to close business after the commencement of this Act, but even they were given a period of three years after the Act to realise their past debts. They were only required under the Act to register themselves and take out licences. But if the amendment was passed, the result would be that a dishonest money-lender would be under no obligation to register himself and so even if he continued his fraudulent transactions after the commencement of the Act, he would be in no danger of his methods being brought to light in a court of law. The amendment was rejected without a division.

**14th. JULY :—**The Opposition concentrated their attack on the Government's intention to reserve to themselves the rule-making powers under the Bill, particularly with regard to the conditions on which licence to money-lenders are to be granted. *Sir Gokul Chand Narang* moved an amendment, suggesting a reduction of the registration fee from Rs. 5 to Re. 1. The *Premier*, the hon. *Sir Sikandar Hyat Khan*, pointed out that the proceeds from the registration fee were required to create the necessary machinery to work the Act. The amendment was lost.

A series of amendments, seeking to lay down the specific periods during which licences should be valid, were admitted. Strong opposition was voiced by *Sir Gokul Chand Narang*, *Lala Dunichand*, *Lala Mukund Lal Puri* and others to leaving the power to fix the period of a licence in the hands of the executive as the Bill proposed to do. It was urged by some that at least five years should be fixed as the period of a licence while another wanted that a licence should be tenable for such a period as the licensee himself wanted. The *Premier* emphasised that these fears were unfounded as the Collectors would be strictly bound by the rules which the Government would frame. The amendment was lost.

By another amendment, *Lala Dunichand* urged the deletion of words, which it was contended, suggested that the conditions of grant and the renewal of licences would be laid down by the Collectors. The *Premier* strongly refuted the suggestion that the Government intended to leave it to the Collectors to impose what conditions they liked. It was the Government who would lay down the conditions. He also pointed out that it was the general practice in all cases of this nature for the Government to reserve to itself the rule-making powers. This amendment was also lost. An important Government amendment, moved by *Raja Ghaznafar Ali Khan*, Parliamentary Secretary, was next passed without any speeches. The amendment made it clear that "the punishment provided in this Act will not be inflicted upon any person (money-lender) who is convicted for infringing the provisions of this Bill prior to the time this Act comes into force."

A series of amendments were next moved for reducing the punishments which the Bill sought to inflict on money-lenders for committing offences under the Bill, but they were rejected. The House sat till 9 p. m. and completed discussion on Clause 6, which was passed as amended.

**15th. JULY :—**With regard to Clause 9 doubts were expressed to-day whether the Government's intention of not punishing money-lenders for offences committed before the coming into force of the Act was fully clear. Both the Government and the Opposition admitted that the clause as it stood was ambiguous. On the motion of the *Premier*, the hon. *Sir Sikandar Hyat Khan* the House substituted a new clause in place of Clause 9. When the clause was under consideration, *Lala Sitaram* moved that the Bill should come into operation two years after publication in the Government Gazette. The *Premier* explained that some time would be spent by the Government in going through numerous formalities. Moreover, under the provisions of the Bill, dishonest money-lenders would get from three to six years time to wind up their business. So far as honest money-lenders were concerned, the Government were determined to go out of their way to help them. The amendment was defeated.

Rapid progress was then made with the Bill. Clause 10 containing a provision for "the further registration and licensing of a money-lender after the expiry of the period for which the license was cancelled," was adopted without any amendment. The House commenced consideration of clause 11. There was a division on *Sir G. C. Narang's* amendment to the last clause to include in the Bill a provision to the effect that the rules made by the Government under the Bill should be brought before the House for approval prior to being made law. The amendment was rejected by 92 votes to 31.

When all the clauses were disposed of, the House agreed to the motion of the Premier for referring the Bill to a drafting committee for examining the Bill with a view to suggesting consequential amendments and presenting their report by to-morrow. The House then adjourned.

#### ANTI-BENAMI TRANSACTIONS BILL

**16th. JULY :—**On a motion from the Chair the Assembly to-day passed consequential amendments which the drafting committee had proposed to the Anti-Benami Transactions Bill. The hon. *Sir Sunder Singh Maithia* moved that the Bill, as amended, be passed. *Rai Bahadur Mukund Lal Puri*, in a fighting speech, objected to what he called the expropriation of the people's property under the protection of law. He characterised the Bill as a revolutionary measure. It sought to unsettle settled controversies. *Sir Gokulchand Narang* said that by these Bills, the Government were trying to follow the policy of pushing down one community and pulling up another community in order to effect a general levelling up. The Government had administered no warning to people hitherto that these transactions were wrong and even the High Court had not held them illegal. Despite all that, the Government were coming forward with a Bill declaring that these transactions were null and void and giving their Bill retrospective effect. *Malik Barkat Ali* refuted *Sir G. C. Narang's* arguments and declared that the Bill was not retrospective as had been contended but was merely declaratory. It merely sought to make the law clear with regard to benami transactions, which had been banned by the original Land Alienation Act and would be held to be invalid under the existing law in any court. He pointed out that the Land Alienation Act embodied the policy that land should never pass out of the possession of the socio-economic group known as the agricultural class in the Punjab. *Mr. Ajit Singh*, speaking from the Congress benches, caused a surprise when amid enthusiastic Ministerialist cheers, he declared that the Congress Party fully supported the Bill and they went further and demanded non-agriculturist holders of land who had come by that land as the result of benami transactions should be punished. *Sir Sikandar* reiterated his denial that the Bill sought to give retrospective effect to the Act. The Bill merely intended to plug up loopholes. The Premier claimed that the Bill did not contravene the undertaking given by the late *Sir Fazli Hussain* and reiterated that they would not allow the scope of the Land Alienation Act to be extended or restricted. But he hinted that changed conditions in the country and the pressure of opinion of the masses outside the House might force the Government to go beyond the Act in future. He reaffirmed the policy that no land belonging to an agriculturist should pass into the hands of a non-agriculturist except under the provision which allowed 20 years' enjoyment of an agriculturist land by a non-agriculturist for debts due from the agriculturist. The Premier asked why, while this straightforward course was open to the non-agriculturist, he should resort to the backdoor method of a benami transaction. The Premier made the announcement that during the four months during which Tehsildars had been investigating in the province, they had unearthed no less than 6,697 cases, which were suspected to be benami transactions, of which 2,473 cases were being recommended for review.

The Bill passed the third reading without division.

#### MONEY-LENDERS' REGISTRATION BILL (CONTD.)

The Premier next moved that the Money lenders' Registration Bill be passed.

*Raja Narendranath*, Leader of the National Progressive Party, a group forming part of the Government, opposed the motion. While admitting that some opinions had been collected on the Bill in the Punjab some years back, he held they were not made available to the House for basing the provisions of the Bill thereon. The Bill would, he thought, turn money-lenders into pawn-brokers with the result that borrowers would henceforth be at a great disadvantage in raising loans.

*Dr. G. C. Narang* declared that the trading and money-lending classes should now understand that they could not expect any thing from the present Government. The Bill, he said, would destroy credit in trade and industry. It would set back the hands of the clock of political advance.

The Premier, *Sir Sikandar Hyat Khan*, replying vigorously, denied that the Bill was either a class or a communal measure. It would apply equally to all classes and communities, to Banias as well as to Pathans, and as he had already

announced he was determined to see that a Bill applying the provisions of this measure to agriculturist money-lenders was passed before the present Bill became an Act. He re-affirmed that an honest moneylender would find the measure a source of strength and help; and casual lenders had been specifically excluded from the Act. It had been stated that the village money-lender was a simple person who would be unable to understand the law, but the Premier declared that those people with whom the money-lenders dealt were even more simple and unsophisticated. The Punjab Government had been trying to build up the structure of an agrarian legislation which would be beneficial without distinction of class.

The House passed the third reading of the Bill and adjourned till the 18th.

#### LAND ALIENATION AMEND. BILL

The Assembly also passed without division the third reading of the Punjab Land Alienation Amendment Bill.

#### RESTITUTION OF MORTGAGED LANDS BILL (CONTD.)

**18th. JULY:**—Constitution of the Restitution of Mortgaged Lands Bill, clause by clause, was taken up to-day. Several amendments were moved by the Opposition and were rejected by the House. One such amendment was moved by Sir *Gokul Chand Narang* with a view to applying the provisions of the Bill for the period even after June 8, 1931. The amendment was pressed to a division and defeated by 90 votes to 33. Sir *Gokul Chand Narang* made another attempt to amend the Bill so as to ensure that lands should not be returned to the original agricultural owners if the mortgagees had secured a decree or order for redemption. This amendment was also rejected. *Sardar Hari Singh* (Congress) moved an important amendment which sought to deprive those agriculturists who paid Rs. 300 or more in land revenue, of the benefit of the Bill. It was stated on behalf of the Opposition by several speakers that by passing this amendment, only poor zamindars would benefit and not the well-to-do ones. On behalf of the Government, it was explained that the amendment in effect sought to deprive of the benefits of the Bill even those who owned ten acres of land and had monthly incomes of Rs. 75. The Premier assured the House that not a single Minister or Parliamentary Secretary would benefit from this legislation. The Premier pleaded that the amendment would not be an equitable step; for those who paid Rs. 301 as land revenue, would be deprived of the benefit of the Bill while those who paid Rs. 299 as land revenue plus Rs. 1,000 as income-tax would get the benefit. The amendment was defeated by 58 votes to 30. The House then agreed to the official amendment moved by *Mir Magbool Mahmood*, which laid down that the cases arising out of this legislation should be decided by Collectors "specially empowered by the Government." The Assembly then adjourned.

**19th. JULY:**—Consideration of the Bill, clause by clause, was resumed to-day. The House made rapid progress with the Bill and all the clauses having been passed, the bill as amended was entrusted to a drafting committee to suggest consequential amendments and report by Thursday.

#### POLICE LATHI CHARGE IN LYALLPUR DT.

**21st. JULY:**—*Sardar Hari Singh* (Congress) to-day moved that "The House do now adjourn to discuss a definite matter of urgent public importance, namely, 'the lathi charge by the police on unarmed and peaceful Kisans at Chak no. 254 Ganga Singhwala in Lyallpur District on July 15, in connection with the agitation against a reduction in the width of canal outlets, causing injuries to many innocent persons'". He deplored the Government's habit of defending "the most indefensible misdeeds of the police". He recapitulated the events leading to the alleged lathi charge by the police, basing his account on private reports received by him. The Premier, the hon. *Sir Sikandar Hyat Khan*, winding up the debate, said that the decision to re-model the distributory was taken by the Advisory Committee at which representatives of the Distributory were present. His information was that the agitation was engineered by a subordinate of the Canal Department and they were going to hold an enquiry as to whether that information was correct. His disappointment was that the Opposition had some distorted figures and were basing their agitation on them. Continuing, the Premier reiterated that it was impossible for the Government to give canal water to some people at the expense of others. The Government

had offered equitable terms of settlement, but the Opposition did not wish to accept them because then the agitation would cease. As regards the death of a person named Kartar Singh, the Premier said that a sifting magisterial enquiry would be held into the circumstances of his death and if it was proved that death was due to maltreatment, the Government would impose drastic punishment on the culprit.

#### RESTITUTION OF MORTGAGED LANDS BILL (CONTN.)

*Sir Sundar Singh Majithia* next moved the third reading of the Restitution of Mortgaged Lands Bill. In doing so, he gave an assurance that if during the next two years of the working of this measure, some loop-holes were discovered, the Government would readily remedy them by bringing forward amendments. *Sir Gokul Chand Narang* in a long speech enumerated the principal defects of the proposed legislation. He said that the Bill was not based on any principle of justice or equity. The Government had advanced no ground for confining it to mortgages entered before the year 1901. If mortgages were not going to be safe, then what guarantee was there that the sales effected in the past would be safe? *Dr. Gopichand Bhargava* emphasised that though the Bill had been ostensibly brought to help the poor, it was really to help the rich zamindars who constituted the present Government. That was the reason why the Government did not place statistics in support of the measure. The Premier, at the outset, referred to what he called the devices used by the Congress to engineer a furore and up-roar in the Province against the Bill. Hartals had been brought about by telling strange stories to shopkeepers. One of them was told that the Bill sought to check and control their daily earnings and accounts. The Premier said that some people had made attempts to give the agitation a communal colour. The Bill, he admitted, affected every community. It might affect one community more than another, but that did not mean that it was a communal measure. He declared that the Bill was really aimed at helping the poor. It had not been designed to cover the period after 1901 as there had been no exploitation of agriculturists after that year, owing to the coming into force then of the Land Alienation Act. Replying to the arguments of *Dr. Gopichand Bhargava*, *Sir Skandar* said that the creed of the Unionist Party was second to none in the country. The Premier said that the Party was trying to help the small peasants and labourers. He ridiculed the Congress attitude towards the Bill. The Congress Party had given such amendments as, if they were passed, would have defeated the object of the Bill by trying to lay down that its provisions should not apply to cases instituted by mortgagors before the Bill became law. The Premier warned the Congress Party that if it adopted unconstitutional methods of agitation against this legislation in the Province, he would not allow the peace of the province to be disturbed. The third reading of the Bill was passed without a division.

#### LAND ALIENATION (3RD AMEND.) BILL

The House next started consideration of the Land Alienation Act (Third Amendment) Bill clause by clause. All amendments, which were moved by the Opposition and opposed by the Government, were rejected. While discussing the third clause, *Sir Gokul Chand Narang* pointed out that there were loopholes in the clause, which would enable two agriculturist money-lenders working in collusion to evade the provisions of the Bill. The Premier admitted that there was a loophole which, he promised, would be filled in the next session. He appealed to the members to pass the clause as it was, so that the Bill might be passed expeditiously in order to enable the Government to place it on the Statute Book along with the Money-lenders' Registration Bill.

Consideration of the clauses was completed at 9-15 p. m. and the Bill was then entrusted to the Drafting Committee to submit consequential amendments, if necessary, by 10 a. m. on the next day, the 22nd. July when the Bill was given the third reading and the House adjourned *sine die*.

### Winter Session—Lahore—10th. November to 2nd. December 1938

#### ADJOURNMENT MOTIONS

The winter session of the Assembly commenced at Lahore on the 10th. November 1938. There were no fewer than 15 adjournment motions, of which seven stood in the

name of *Sardar Hari Singh*. The first, which was to discuss the order to quit the Punjab by the first available train on Comrade Iqbal Singh and his exterment from the Punjab, was disallowed by the Speaker as being not of urgent public importance.

A heated discussion ensued on the third adjournment motion to raise "the criminal hooliganism" displayed by members of the procession of the hon. the Premier and the hon. the Minister for Development at Rohtak on October 7 last, resulting in injuries to a number of peaceful spectators. The members had to be called to order on several occasions. The *Speaker* ruled out the motion as the subject matter thereof had not been corroborated.

The House then discussed the adjournment motion of *Sardar Hari Singh* to discuss the notice served on Sardar Balwaut Singh Dukhia, General Secretary of the District Congress Committee of Hoshiarpur, under Section 3 of the Punjab Criminal Law Amendment Act for one year, internment him in Bains Kalan, his village, and restraining his political activities. The Premier justified the action taken by the Government against Sardar Balwaut Singh Dukhia as it was intended to stop the recurrence of terrorism. He assured the House that the utmost care was being taken in taking any action against political workers. The motion, being put to vote, was rejected by 61 votes to 27. The House then adjourned.

#### FAMINE IN HISSAR

**12th. NOVEMBER** :—Harrowing accounts of the distress caused by famine in Hissar district were given by members of the Opposition and the Government benches to-day in the course of the discussion on an adjournment motion by *Sardar Hari Singh* relating to the subject. After two hours' heated debate, the motion was rejected by 66 votes to 30.

#### OFFICIAL BUSINESS

The House passed the Punjab Debtors Protection (Amendment) Bill with the amendment recommended by His Excellency, referred to a select committee the Punjab Alienation of Land Act (Fourth) Amendment Bill and also passed the Punjab State Aid to Industries (Amendment) Bill. It was explained that the first mentioned Bill had been recommitted to the House by His Excellency as the Law Department had, since the passing of the Bill, discovered that it went beyond the intention of the framers. The Bill was passed without discussion.

#### DRUGS CONTROL

A motion by the hon. *Mian Abdul Hakeem* sought that the following matters enumerated in the provincial legislative list be regulated by an Act of the Federal Legislature :—Trade and commerce within the province and the production, supply and distribution and adulteration of drugs, medicines and biological products. The Minister explained that this was in pursuance of the undertaking given by the Punjab Government in common with other Provincial Governments that they would adopt a resolution on the above lines.

#### MULTAN COMMUNAL CLASH AND AFTER

**14th. NOVEMBER** :—Charges and counter-charges were made by the members of the Opposition Party and the Government against each other for being responsible for creating a situation which led to the communal clash at Multan in October last, in the course of the discussion to-day on the adjournment motion of *Munshi Harilal* relating to the disturbance. Members of the Opposition Parties accused the Ministers of having delivered provocative speeches, which led to the strained relations between the two communities. Replying to the debate, the Premier, the hon. *Sir Sikandar Hyat Khan*, read a lengthy statement, reviewing the circumstances culminating in the trouble at Multan and complemented the local officers on averting a riot with a minimum of force. The Government, said the Premier, were considering the posting of a huge punitive police at Multan, which was a dangerous district in the Province. The Premier assured the House that sufferers would be adequately compensated and culprits brought to book. The motion was lost by 66 votes to 33.

#### ELECTRICITY AND GURDWARA BILLS

The House then passed the Punjab Electricity Bill and the Sikh Gurdwaras (Amendment) Bill.

### AGRICULTURAL PRODUCTS MARKETS BILL

The hon. *Sir Chhotu Ram*, Development Minister, next introduced the Punjab Agricultural Products Markets Bill. *Sardar Sahib Sardar Santokh Singh* moved an amendment for the circulation of the Bill for eliciting opinion thereon. The discussion had not concluded, when the House adjourned.

#### LATHI CHARGE AT AJNALA

**15th. NOVEMBER :—**The discussion on the adjournment motion of *Sardar Sohan Singh Josh*, relating to "the lathi charge by the police on a peaceful gathering of the peasants at Ajnala (in the district of Amritsar) on the occasion of the Premier's visit to the place" on August 10, was marked by stormy scenes, in which the Speaker had to call the House to order several times. Speaking on the adjourned motion, the Opposition speakers said that the Government were using the Police for party propaganda and that the Government, instead of taking the police to task whenever they were exceeding their powers, always shielded them. They also alleged that the police brought tear-gas to deal with one of the Congress meetings. The Premier, refuting both the charges, said that the Government were never slow to take action when the police exceeded their powers. The Opposition, however, he said, indulged in criticism of the police in season and out of season. In the case referred to the police were trying to keep Congressmen apart from the Unionist meeting so as to prevent a clash. For this purpose they pushed back a small number of Congressmen and there was a mild cane charges. The Government had no arrangement for using tear-gas, though he wished that all big cities should be equipped with tear-gas to enable the police to disperse unruly crowds. After two hours' heated discussion the motion was put to vote and rejected by 68 votes to 31.

#### AGRICULTURAL PRODUCTS MARKETS BILL (CONTD)

Discussion on the amendment for the circulation of the Markets Bill, which commenced last evening, continued the whole of to-day and was adjourned.

**16th. NOVEMBER :—***Sardar Santokh Singh*, Leader of the Independent Party, moved a dilatory motion to-day for circulation of the Punjab Agricultural Products Marketing Bill, as reported by the Select Committee, for eliciting opinion thereon by January 31 next. Replying *Sir Chhotu Ram* said that the Punjab Ministers were charged by the Opposition benches with getting high salaries. The Congress Ministers, he said, were also not drawing less than the Punjab Ministers' salaries. Referring to a minister in a Congress Province, *Sir Chhotu Ram* said, that although a Congress Minister drew Rs. 500 as his salary, the salary of his household establishment amounted to over Rs. 500 and his house rent to about Rs. 400. Besides this, he had at his disposal three motor cars. This statement of the Minister caused an uproar in the House. *Dr. Satyapal*, challenging the statement of the Minister, said that it was a lie. He added that he would not tolerate defamation of their Ministers in the Congress Provinces. *Sir Chhotu Ram* and the Premier protested against the use of the word "lie" by *Dr. Satyapal* and urged the Speaker to ask *Dr. Satyapal* to withdraw his word. *Dr. Satyapal* thereupon substituted the word "incorrect" in place of "lie". The Speaker appealed to the House to use more dignified language. He also requested the Minister not to refer to the Congress Ministers. The dilatory motion was lost by 79 votes to 7, the Congress Party remaining neutral.

Strong support for the cause of the tiller of the soil by *Diwan Chamanlal* and an able defence of the Bill as a whole by the Development Minister were the main features of the debate when the House proceeded to the consideration of amendments for inserting new clauses. Two such amendments were ruled out and over a score were not moved. Discussion ensued on the amendment of *Chhauhdhuri Tika Ram*, which aimed at vesting the final authority in the Collector for deciding whether any person was a grower or not. *Diwan Chamanlal* opposed the amendment as it would arm the Executive with inordinate powers. *Sir Chhotu Ram* replying, said that occasions would arise in the working of the Act when it would be necessary to decide whether an individual was a grower or not, and in such circumstances there was need for some agency to decide the issue. The amendment was pressed to a division and declared carried by 66 votes to 19. The Assembly then adjourned.

**17th. NOVEMBER** :—Most of the afternoon session was devoted to the consideration of the issue whether a "proviso" was a new clause or an amendment. The question arose over the amendment proposed by Sardar Sahib *Sardar Santokh Singh* which was in the form of a proviso to a clause. The *Speaker* quoting extensively from the House of Commons debates ruled that a proviso was not a clause inasmuch as it did not seek to substitute one clause for another.

#### DISCHARGE OF PANCHAYAT OFFICERS

*Chowdhri Kartar Singh's* adjournment motion relating to the discharge of 19 panchayat officers was lost without a division. The Opposition alleged that the officers in question were discharged to make way for supporters of the Unionist Party. Refuting the allegations, Major the *Hon. Khizar Hyat Khan Tiwana* explained that the panchayat officers who had been discharged were incompetent and two of them were corrupt. He assured the House, however, that the vacancies caused would be filled by members of the same caste as the former incumbents. The Assembly then adjourned.

#### SUPPLEMENTARY DEMANDS FOR GRANTS

**21st. NOVEMBER** :—Supplementary demand for Rs. 1,00,000 under the veterinary head for the purchase of fodder for the Government Cattle Farm at Hissar, owing to severe famine conditions prevailing at Hissar, was granted without much discussion to-day.

The House granted two demands, one under "General Administration" aggregating to Rs. 1,22,000 and the other under Public Health of Rs. 3,25,000. *Chaudhry Krishna Gopal Dutt* moved a token cut of Rs. 100 in the sum of Rs. 75,000 demanded under the first head on account of travelling and daily allowances of members, for the purpose of criticising the Government's policy in incurring such expenditure. He opined that considerable time and money was wasted during the Simla session, as the only legislation worth mentioning that was passed then was the Money-lenders' Bill. The *Premier* emphasised that a single day's session cost Rs. 4,000 and if the Opposition would co-operate with the Government concentrating on major issues and ignoring minor items, considerable saving could be effected. The motion was put and lost without a division.

The House then proceeded to discuss a demand for Rs. 40,000 under the industries head for opening a workshop at the Hosiory Institute, Ludhiana. *Sardar Kapoor Singh* moved a token cut to impress upon the Government the need to purchase Indian-made goods for the workshop and to urge that students from rural areas should be given special preference in respect of admissions. *Sir Chhottu Ram*, Minister for Development, replying to the debate said that cotton yarn, silk yarn and half the woollen yarn used in the Institute were made in India. Only half of the woollen yarn which was not available in India was being imported from foreign countries. He, however, assured the House that the whole sum of Rs. 40,000 which the House was asked to vote would be spent on the purchase of raw materials. The cut motion was rejected without a division.

*Mr. Ch. Krishna Gopala Dutt* moved a cut motion to raise a discussion on the subject of the creation of an Industrial Research Fund. He complained that the Fund was inadequate. The British Government, he said, had set apart one million pounds for the research fund. The money which the Punjab Government was earmarking for research work in the Punjab, which was a backward province in respect of industries, was insufficient. *Mr. Desh Bandhu Gupta* urged the Government to work in co-operation with other provinces. *Sir Chhotu Ram*, winding up the debate, assured them that he would give his most careful consideration to the suggestions made by the Opposition. The Minister did not agree with the suggestion made by *Mr. Gopal Dutt* for discouraging the export of raw material. He said that they would continue exporting surplus raw materials after meeting their demands. He assured the House that the Government would see that as much raw material as possible was used in this Province. *Sir Chhotu Ram* admitted that the money earmarked for the Research Fund was inadequate, but he said the House must congratulate the Government on setting apart such a huge sum in these days of financial stringency. The cut motion was rejected without a division.

#### LAND ALIENATION (4TH. AMEND.) BILL

**22nd. NOVEMBER** :—The Assembly passed to-day the Punjab Alienation of Land (Fourth Amendment) Bill. The Bill sought to remove certain technical flaws

which were found in the Punjab Alienation of (Third Amendment) Bill, passed in the Simla session of the Assembly and to allow a person to appeal to the Commissioner against the order of the Collector.

#### AGRICULTURAL PRODUCE MARKETS BILL

During a three-hours discussion on the Punjab Agricultural Produce Markets Bill, the Assembly was able to pass only one sub-clause. There were 18 amendments to the sub-clause. One of them, which aimed at restricting the definition of the term "grower" to the actual tiller of the soil, was rejected by 95 votes to 37. Another amendment, moved by *Diwan Chaman Lal* on behalf of the Congress Party, which aimed at eliminating the partners of a firm of dealers or brokers from the scope of the definition of the term "grower" was accepted by the Government. The mover said that the intention of the Congress Party was to eliminate those from the definition of the word "grower", who were not tillers of the soil. The amendment was opposed by the Independent Party. A third amendment which sought to include in the definition of a "grower" one who "works as a dealer or a broker, or is otherwise engaged in the business of disposal or of the storage of agricultural produce," was rejected without a division. *Sardar Suhb Sardar Sant Singh*, Leader of the Independent Party, moving the amendment, emphasised that a grower, who happened to work as a dealer or stored agricultural products, should not be excluded. The hon. *Sir Chhotu Ram*, Minister for Development, opposing the amendment, said that if dealers or brokers were allowed to be included in the definition of "grower", the result would be the existence of a loophole and the main purpose of the Bill would be defeated. The House at this stage adjourned till the 28th.

**28th. NOVEMBER :—**A lively debate ensued on the amendment of *Choudhri Krishna Gopal Dutt* to restrict the notified market area to a radius of five miles from the market centre. The opposition was anxious, he said, that the Government should not assume powers that were later liable to abuse. *Sir Chhotu Ram*, Minister for Development, replying, revealed that the Government would support an amendment already tabled to delete the words "comprised in a district", which would show that they did not contemplate declaring as notified market area an entire district or even a thana, but the normal market area and its neighbourhood, so as to ensure that the grower got a fair price for his produce. The amendment was pressed to a division and lost by 73 votes to 29.

Clause 2 relating to definition was put to vote and was passed by 67 votes to 33. Clause 3 of the Bill providing for the issue of a notification of the intention to exercise control over the purchase and sale of agricultural produce in a specified area was passed in an amended form. Discussion on clause 4 was proceeding when the House adjourned.

**29th. NOVEMBER :—**Discussion on amendments to Section 4 of the Bill left over yesterday, occupied the House to-day. Two amendments having been accepted, one in a modified form, by the Government, the Speaker ruled that nearly ten amendments of a similar character should be discussed together. The central idea of these amendments was to exclude retailers from the purview of the Bill. Congress and other Opposition speakers made an impassioned plea for the exclusion of the average shopkeeper and the small retailer from the provisions of the Act. They pointed out that nowhere in the country were these classes of traders asked to take out a license and the Government should not arm themselves with this power, which was liable to abuse. The Government, they urged, should not go beyond the scope of the Bill. The Leader of the House and other speakers from the Ministerial benches made it clear that the measure was intended to stop malpractices prevailing in mandis and markets and the provisions should be judged by the standard whether or not they would achieve this object. There was little to choose between the retailer and the wholesaler. The Premier assured the House that the *bonafide* shopkeeper would not be affected and the Government had taken special power to grant exemption in deserving cases. Two amendments were put to vote and were rejected and the House adjourned.

#### NON-OFFICIAL BILLS INTRODUCED

**1st. DECEMBER :—**The Assembly met to-day to transact non-official business for the first time during the session. The House refused leave to *Mian Iftekhar-uddin* to introduce the Punjab Tenancy Amendment Bill, seeking to secure certain rights to tenants and to *Sardar Pratap Singh* to introduce the Punjab Jhatka Meat Bill to remove restrictions on the preparation, use and sale of jhatka meat,

but granted leave to *Sardar Ajit Singh* to introduce the Punjab Postponement of Debt Realisation Bill.

#### REDUCTION IN WATER RATES

The House then proceeded to discuss resolutions. An animated debate ensued on the resolution of Mr. *Bhimsen Sachar* recommending to the Government that the water-rate be reduced by fifty per cent. The mover contended that the Government were not entitled to get a return of 13 per cent from their water-rates while even the railways were not getting more than three per cent return. The *Premier* pointed out that there were certain non-productive canals in the Province, but conceded that some reductions in Abiana were necessary. Mr. *Nurullah* (Unionist) moved an amendment that the rate be reduced by 25 per cent. *Sir Chhottu Ram*, Minister for Development, replying, said that the Government had genuine sympathy for the ryots but they had to reckon with a loss of Rs. 3 and one-fourth crores if a fifty per cent reduction was introduced. He had not concluded his speech when the House adjourned.

**2nd. DECEMBER** :—The Assembly unexpectedly adjourned *sine die* to-day following a ruling by the Hon. *Speaker* that the Assembly would meet only on Mondays, Tuesdays, Thursdays and Fridays and the Hon. *Premier* thereupon declaring in that case that he would like it to adjourn *sine die*. Votes were then taken and the House decided to adjourn *sine die* by 96 against 36 votes. Thus the threatened night sitting of the Assembly to-day and a non-stop sitting from 11 a. m. to-morrow morning with a view to dispose of the Marketing Bill was not materialised. The House adjourned *sine die*.

#### Acts Passed by the Punjab Assembly in 1937-38

1. **Punjab Ministers' Salaries Act.** (April 8, 1937) Determines the salaries of the Ministers.
2. **Punjab Legislative Assembly Speaker's and Deputy Speaker's Salaries Act.** (April 12, 1937) Determines the salaries of the Speaker and the Deputy Speaker of the Punjab Legislative Assembly.
3. **Punjab Legislative Assembly (Removal of Disqualifications) Act.** (July 15, 1937) Provides that the holders of certain offices, e. g., Parliamentary and Private Parliamentary Secretaries, Zaildars, Sufaidposhes, etc., shall not be disqualified for election to the Punjab Legislative Assembly.
4. **Punjab Legislative Assembly (Allowances of Members) Act.** (July 15, 1937) Determines the allowances to be paid to the members of the Punjab Legislative Assembly.
5. **Punjab Alienation of Land (Amendment) Act.** (April 11 1938) To prohibit agricultural land being put to destructive use by a mortgagee or lessee without the consent of the owner, and to remove ambiguity regarding the period for which temporary alienation of land belonging to a statutory agriculturist judgment-debtor can be ordered by a Civil court.
6. **Suits Valuation (Punjab Amendment) Act** (March 10, 1938) To Amend the Suits Valuation Act, 1887, in so far as it deals with plaints or memorials of appeals in suits by reversioners under the Punjab Customary Law for a declaration in respect of an alienation of ancestral land.
7. **Punjab Debtors' Protection (Amendment) Bill** (June 21, 1938) To prohibit execution of civil decrees by the appointment of a receiver to administer property which is protected from attachment or sale under the Colonisation of Government Lands (Punjab) Act, 1912.
8. **Punjab Registration of Money lenders Act.** (July 16, 1938) To establish effective control on the business of money lending by compelling money-lenders to obtain licences.
9. **Punjab Alienation of Land (Second Amendment) Bill** (July 16, 1938) To nullify certain sales and mortgages of land which were effected in contravention of the intention of the Punjab Alienation of Land Act of 1900.
10. **Punjab Restitution of Mortgaged Lands Act.** (July 21, 1938) To terminate old mortgages of land (effected before 1901 and still subsisting) on payment of a reasonable compensation where necessary by the mortgagor to the mortgagee.
11. **Punjab Alienation of Land (Third Amendment) Act.** (July 22, 1938) To place the agriculturist money-lenders for the purposes of the Punjab Alienation of Land Act, in the same position as non-agriculturist money-lenders and check them from permanently acquiring the land of their agriculturist debtors.

# The C. P & Berar Legislative Assembly

Autumn Session—Nagpur—15th. September to 1st. October 1938

## ADJOURNMENT MOTIONS

The autumn session of the C. P. & Berar Legislative Assembly commenced at Nagpur on the 15th. September 1938, with the Hon. Mr. G. S. Gupta, the Speaker in the Chair. Three demonstrations outside and three adjournment motions inside the House were the features of the opening day's proceedings. Muslims staged a huge demonstration to protest against the Government's primary education scheme known as the Vidyamandir scheme. The two other demonstrations were a sequel to the recent C. P. Ministerial episode and supporters of Dr. Khare and the Congress Working Committee organised processions and marched to the Assembly Chamber. Elaborate police precautions were taken both outside and inside the Assembly building with a view to preventing untoward incidents and disturbances.\*

In the House, the Speaker, Mr. G. S. Gupta ruled out of order two motions of adjournment, one seeking to discuss the lack of provision for training in Urdu in the Wardha Vidyamandir School and the other regarding the failure of crops in two taluks of Berar. Mr. B. G. Kharade's motion of adjournment to discuss the failure of Government to maintain peace and order at a public meeting in Nagpur last night was admitted by the Speaker though the Premier, Pandit R. S. Shukla objected as the matter was not important. Twenty-three members who supported leave being granted for discussion of the motion, included two Congress members, Dr. Khare and Mr. A. N. Udhoji.

The motion was debated for about two hours and was lost without a division. Mr. Kharade moving it, stated that the Congressmen assembled at the Town Hall last night captured the public meeting which had been announced to be held by pro-Khare members. Disturbances occurred a little later and some persons were injured

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\* Nearly 8,000 Muslims participated in a demonstration to-day by the Muslim League with a view to protesting against the Vidyamandir educational scheme. Carrying black flags, the demonstrationists marched in a procession to the Assembly Chamber. They were stopped by the police as they reached the Assembly whereupon the demonstrationists moved on peacefully to an adjoining park. Later, they dispersed after the Premier, Pandit Shukla, who heard their viewpoint patiently and explained the Government plan in the matter of giving effect to the scheme. The Premier pointed out that the Muslim agitation against the scheme was misguided and misconceived and largely due to ignorance of details of the scheme. The Premier then read out a Government communique on the subject fully explaining their plans. A special feature of the scheme which removed the Muslim grievance about absence of provision for instruction in Urdu in primary schools, the Premier declared, was that Urdu script was being taught to all pupil teachers at the Wardha Vidyamandir training school so that they might be able to teach the same to Muslim boys admitted into Vidyamandirs. It was open to any Muslim, who objected to the term Vidyamandir, to donate land for establishing an Urdu school and call it by another suitable name. The Premier hoped that the unhappy controversy over the name "Vidyamandir" would not mislead Muslims and deprive them of benefits to be derived from the scheme. Three or four Muslim League M. L. A.'s including Syed Rauf Shah, leader of the Provincial Muslim League Board, participated in the demonstration in which it was reported Muslims from mofussil places also joined.

While Muslim demonstrators were almost peaceful, demonstrations over the Khare episode organised by Dr. Khare's adherents and the other organised by supporters of the Congress Working Committee were marked by considerable excitement. Large crowds joined the processionists who continued the demonstrations for over three hours in the precincts of the Assembly Chamber. Police had to intervene several times to prevent clashes between rival sections. Despite this, ten persons were injured. Pro-Khare demonstrators raised slogans attacking the Congress Working Committee. Some of them carried black flags while others held the Congress tricolour flags and placards denouncing traitors.

as a consequence of the clashes between rival sections. It was the duty of the police to intervene with a view to maintaining peace, and allow the original organisers of the public meeting, the pro-Khare group, to proceed undisturbed with their meeting. He accused Congressmen of resorting to violence, to stifle opposition and said that even Gandhiji would feel sorry for the incidents that occurred last night. The Premier, *Pandit Shukla* declared that he was satisfied after enquiries from various sources, apart from the police reports, that there were adequate police arrangements last night. His information was that there were no serious disturbances at the meeting to warrant police intervention with a view to restoring order and peace. Moreover, not a single complaint had been received by the police of anyone being seriously injured at the meeting. Non-violence was the cardinal principle of every Congressman. The Premier had no doubt that all those who owed allegiance to the Congress would strictly adhere to it. The Premier emphatically repudiated the charge that the Government had failed to maintain order and peace at the public meeting. Minister *D. P. Mishra* opposed the motion and said it was deplorable that difficulties had arisen over the recent C. P. Ministerial episode. They were trying their best to see if these could be composed. The House rejected Mr. *Khaparde's* motion without division and adjourned.

#### 'HOLI' RIOT IN JUBBULPORE

**16th. SEPTEMBER :—**Mr. *Iftikhar Ali* sought the leave of the House to-day to discuss the failure of the Government to prevent riots in Jubbulpore during the last Holi festival. He said it was necessary that the House should have an opportunity to discuss the Government's policy in this matter. The Speaker, Mr. *G. S. Gupta*, while agreeing that the subject matter was important, thought that there was no such urgency about it to be discussed through an adjournment motion. The Speaker added that Mr. *Iftikhar Ali* had sufficient time to table a resolution on the subject after the Government's communique announcing withdrawal of prosecutions had been issued. He therefore disallowed the motion. The Premier *Pandit R. S. Shukla* objected to permission being granted for discussion of the motion on the ground that the matter at present was sub-judice.

#### MUSLIMS AND VIDYAMANDIR SCHEME

Of the other five motions which sought to raise discussion on the Vidyamandir scheme of the C. P. Government for spread of primary education in rural areas and its application to Muslims, four were not moved. Mr. *M. M. Hug*, however, rose to seek permission to move his motion of adjournment to discuss the Government's communique dated September 14, on the subject of Muslim agitation against the Vidyamandir Scheme. After some discussion on the importance and urgency of the subject, the Speaker said he would give his ruling to-morrow on the point whether the motion was in order or not.

#### PRIMARY EDUCATION BILL

The House thereafter transacted official legislative business. On the motion of the Education Minister, Mr. *S. V. Gokhale* the Bill amending the Primary Education Act was circulated for eliciting public opinion thereon. The Bill empowered the Government to introduce compulsory education both for boys and girls in select areas.

#### DR. KHARE ON HIS RESIGNATION

**17th. SEPTEMBER :—**Dr. *Khare*, ex-Premier, sprang a surprise to-day when he asked permission of the Chair after question-hour to make a statement explaining the reasons and circumstances leading to his resignation of office. While Dr. *Khare* was reading his statement severely attacking the three Mahakoshal Ministers and members of the Congress High Command, the hon. Mr. *D. P. Mishra*, from the Government benches, rose on a point of order and enquired if the Chair had allowed Dr. *Khare* to make the statement. Mr. *Mishra* also objected to Dr. *Khare* criticising persons who were not members of the House and who were unable to defend themselves.

The Speaker, Mr. *G. S. Gupta* observed that Dr. *Khare's* desire to make a statement came to him as a complete surprise as the Chair had no previous intimation of it, nor was any request made to him by Dr. *Khare* to that effect. The Speaker held that a resigned Minister had a right to offer a personal explanation to the House with the permission of the Chair, but such a statement should be in conformity with the dignity of the House and the language must not be offensive. He, therefore, requested

Dr. Khare to avoid the use of language not free from rancour and use chaste language. The Speaker further informed the House that he had granted permission to Dr. Khare to make the statement. Mr. *Mishra* again rose on a point of order pointing out to the Chair that only the Minister who had resigned in consequence of a "no-confidence" motion was entitled to make such a statement. He had no intention to question the ruling given by the Speaker, but requested him to reconsider it. On the Speaker wishing to ascertain the sense of the House, the hon. Mr. *D. K. Mehta* spoke in support of Mr. *Mishra*, while four Congress members from the Congress benches expressed their opposition to the objection taken by the Ministers. Mr. *R. M. Deshmukh*, Mr. *V. M. Jakatdar*, Mr. *T. J. Kedar* and Mr. *V. R. Katappa*, Congress M. L. A.s, held that Dr. Khare had a right to make a statement on the subject of his resignation and that the Chair should allow him to proceed with it. Dr. *E. Raghavendra Rao* and Mr. *B. G. Khaparde* from the Opposition benches also supported this view, favouring Dr. Khare being allowed to have his say as a matter of right, which they asserted every resigned Minister had. While this discussion was in progress, the atmosphere in the House became tense and the Speaker had to appeal to the members repeatedly to maintain calm. The Speaker asked the members to address the Chair, confining their remarks to the issue before the House.

Dr. Khare then continued reading his interrupted statement. In the course of his lengthy statement Dr. Khare said he wished to acquaint the House with the causes that led to the dissolution of his Ministry. He complained that the Congress Parliamentary Sub-Committee resisted and checked all his efforts at wrecking and combating the Constitution (the India Act of 1935), which he considered was the real objective of the Congress in working the Reforms. As, for instance, Dr. Khare said, he did not get their support for his effort to declare January 26, Independence Day, as a public holiday. They were enjoined not to do anything which was against the plain meaning of various sections of the Government of India Act. He charged the Parliamentary Sub-Committee with having encouraged his colleagues "to intrigue against me and unseat me from the Premiership of the Province. When it became intolerable for him to work any longer, he took drastic steps against the three Mahakosal Ministers. He asserted that throughout the crisis H. E. the Governor acted on the advice of the Premier as leader of the majority party, which was the only course open to a constitutional Governor in the circumstances. He concluded by thanking all sections of the House for the courtesy and consideration they had shown him as long as he was Leader of the House.

Soon after Dr. Khare concluded, the Premier, Mr. *R. S. Shukla*, Leader of the House, rose in his seat and read out the letter of resignation which Dr. Khare had written to H. E. the Governor on July 23 as a result of consultations with members of the Congress Parliamentary Sub-Committee at Wardha, in which Dr. Khare admitted having acted hastily and committed an error of judgment and resigned. The Premier added that this letter of resignation was a complete answer to Dr. Khare's statement to-day in the House and he had nothing to add to it. The House then took up other business.

#### VIDYAMANDIR SCHEME—MUSLIM WALK-OUT \*

All Muslim League members, numbering eleven, walked out of the House as a protest against a ruling given by the Speaker, Mr. *G. S. Gupta*, who disallowed a motion for the adjournment of the House, tabled by Mr. *M. M. Hug* to discuss the Government's communique dated September 14, dealing with Muslim agitation against the Vidyamandir scheme (for the spread of primary education.) The Speaker had reserved his ruling on the admissibility of the motion yesterday. After hearing

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\* Mr. *S. A. Rauf Shah*, Leader of the Muslim League Party who along with ten followers walked out of the House as a protest against the Speaker's ruling, in the course of a statement said: "The Vidyamandir scheme is a most unusual and uncommon feature of the Congress Government. No other province has adopted it and the Muslims of C. P. cannot but feel that it is being inflicted on them because they are in a hopeless minority and because the majority wishes to ride roughshod over them." After alluding to the Muslim League demonstration near the Assembly Hall on September 15, he said that the Government's communique of September 14 on this scheme vis-a-vis Muslim agitation against it, was "simply an outrage on the feelings of Mussalman."

Mr. Hug, who wanted to move the motion and the Government view-point, the *Speaker* held that there was no serious departure in Government policy as outlined in the original scheme and the Government's communique of September 14, in the matter of its application to Muslims. The *Speaker* added that the matter could not form the subject of an adjournment motion.

#### MR. DESHMUKH ON HIS RESIGNATION.

**21st. SEPTEMBER** :—Interest centred on a statement in the House to-day on the recent Ministerial episode by Mr. R. M. *Deshmukh*, ex-Minister. At the beginning, on a point of order by Mr. D. P. *Mishra*, the *Speaker* ruled that he would not permit Mr. *Deshmukh* to offer any remarks which could be construed as casting a reflection on the conduct of the Governor of the Province. Mr. *Deshmukh* assured the Chair that he had no intention to do so and proceeded with his statement, which he took over forty minutes to finish. After reviewing the events leading to the resignation of the Khare Ministry, Mr. *Deshmukh* said that a recent statement by the Congress President, Mr. *Sabhas Bose*, made it necessary for him to explain the points touching his conduct in the episode and acquaint the House with the facts. Mr. *Deshmukh* declared that his support to Dr. Khare throughout the crisis had not been based on any linguistic grounds but because he was convinced that Dr. Khare was constitutionally right in what he did. Had he at any time felt that Dr. Khare was going wrong, he would promptly have withdrawn his co-operation. He had not the slightest doubt that if the Congress High Command had any evidence of Dr. Khare's complicity with the C. P. Governor, it would have pursued the matter against the Governor rather than make repeated accusations about it against Dr. Khare. To suspect that there was a deep-laid sinister plot in Dr. Khare's resignation was to show lack of imagination and understanding. Referring to the charge of raising linguistic animosities, Mr. *Deshmukh* emphatically denied that a Maharashtra "clique" was, as alleged, ever formed in the C. P. Cabinet headed by Dr. Khare who, he asserted, never induced Mr. P. B. Gole to withdraw his support from the three Mahakoshal Ministers on communal grounds. Continuing Mr. *Deshmukh* said that the goodwill promised by all Ministers after the Pachmarchi compromise was not forthcoming, rendering the Cabinet's smooth working impossible. He, therefore, resigned on July 13 and intimidated Dr. Khare, the then Premier, accordingly, and again on July 19 when asked by Dr. Khare to do so. But the three Mahakoshal Ministers refused to resign along with Dr. Khare at least 12 hours before they got instructions from Babu Rajendra Prasad. This act, he considered, was an act of indiscipline. He joined Dr. Khare's second Ministry because he was convinced that Dr. Khare had not joined hands with the Governor as alleged and that Dr. Khare was not at fault at any time. He complained that their case was never heard at Wardha in July last. It was dealt with in a summary manner and in an autocratic fashion. The real issues were deliberately obscured by creating diversions. Mr. *Deshmukh*, proceeding, observed that the Congress Working Committee's resolution against Dr. Khare passed at Wardha in July last on the eve of the meeting of the Congress Parliamentary Party was intended to coerce members into meek submission. He had expected the Congress President Mr. *Bose*, to do justice but he felt constrained to remark that the Congress at present was caught in the snares of prestige. Unless the Congress discarded this, it would kill all initiative for creative work in the Provinces. Mr. *Deshmukh* concluded by asserting that Dr. Khare and his colleagues had not been treated fairly and justly. He relied on the Higher Powers to give them justice and had not the slightest doubt that the justice of the cause for which Dr. Khare had been sacrificed would be recognised and would prevail.

The Premier, *Pandit Ravi Shankar Shukla* said that he had done all he could to prevent Mr. *Deshmukh* from embittering feelings further. "The proper place for us to discuss these matters is the Congress organisation and I feel that Mr. *Deshmukh* ought to have resorted to that forum. We are, after all, Congressmen first and Ministers afterwards." The Premier added that in Mr. *Deshmukh*'s statement there were many matters which could be effectively answered but he would not commit the same error of judgment which his friend (Dr. N. B. Khare) had committed. If they were an army they should answer for their conduct to the General. *Pandit Shukla* thought that Mr. *Deshmukh* had the right of offering a personal explanation but not of defending Dr. Khare. They would not fail to answer when they were asked by the proper authorities. The Premier felt that the matters contained in Mr.

Deshmukh's statement were of the nature of a domestic affair to be answered only in the Congress organisation and not on the floor of the House.

The Finance Minister, Mr. D. K. Mehta answered some of Mr. Deshmukh's criticisms after the Premier had resumed his seat. Mr. Mehta said that Mr. Deshmukh had argued well the case for Dr. Khare. He only wished to deal with the question of the constitutional practice of what a Minister should and should not do in respect of any orders of the Prime Minister. Mr. Mehta declared that the constitutional practice as he understood was that a Premier who wished to reconstitute his Cabinet did not act independently of his colleagues. His view was that a Premier, before he decided to dissolve his Cabinet, must take his colleagues into his confidence and not call upon individual Ministers to resign individually. Mr. Mehta asserted that Dr. Khare had acted in defiance of the spirit of joint responsibility when he asked individual Ministers to place their resignations in his hands. This itself, declared Mr. Mehta, was a denial of the principle of joint responsibility.

Dr. Khare interjected stating that he repudiated the allegation with all the emphasis at his command.

Mr. Mehta proceeding said that the late Premier, Dr. Khare, had set the machinery of subordinate officers of the Government in motion against the Ministers, who were then in office. He did not desire to go into details but he wished to make a statement so that it might go down in the history of the C. P. Legislature that the late Premier employed the slough hounds of the law and set them on Ministers.

Dr. Khare again interjected : "It is a misrepresentation of facts."

Mr. Mehta said that he made this statement with a full sense of responsibility attaching to the office he held and repeated that Dr. Khare did employ the subordinate servants of the Government, namely detectives, against Ministers who were his colleagues, and declared that there were records which would bear him out. He did not wish to add to the bitterness that already existed now, but he must say that in his opinion, the three Maharashtra Ministers and Dr. Khare himself were guilty of mutiny, because they held their offices not under the command of any British Constitution or imperial authority but of that great institution, the Congress, which had ordered them to accept office, and Dr. Khare had flouted this authority. Mr. Mehta added that he did not owe allegiance to the Constitution which had been framed by others and which he was out to destroy. Mr. Mehta declared that on the day this country had the good fortune of making her own constitution they could then swear by that constitution. But there were defections amongst them ; there were disintegrations which had been helped or fomented by people who had always been against them. Mr. Mehta warned his friends on this side (Congress benches) of the House not to be led away by the cheers or thumping of benches or remarks which were made in derogation of the great national organisation. He appealed to the Congress members to bury the hatchet and forget the past and not to make matters worse than what they were. Mr. Mehta, in conclusion, said that he did not desire to make any personal remarks which would embitter the feelings further and therefore he desisted from making any statement which might help to widen the rupture. The Congress High Command had already replied to all charges against them and he would not repeat those arguments in the House.

The discussion on Mr. Deshmukh's statement then came to an end and the House passed on to non-official legislative business.

#### DISABILITIES OF HARIJANS BILL

**22nd. SEPTEMBER :—**The Assembly to-day discussed non-official Bills. All sections of the House supported the Bill providing for the removal of social disabilities among certain classes of Indians, which was introduced by Mr. D. L. Patil (non-Congress Harijan). Mr. Patil explained that in view of the fact that there was a great wave of feeling throughout India in favour of the removal of untouchability, it was desirable to enact legislation prohibiting recognition of disabilities arising out of usage regarding untouchability, either in civil or criminal courts. The Bill was referred to a Select Committee. The Premier, Pandit R. S. Shukla, accepting the motion, whole-heartedly supported the Bill. He recalled that Congress during the last decade had adopted various measures to eradicate untouchability. He assured the House that the Congress Government would support the Bill and he had no doubt that all Congressmen would work for the abolition of untouchability with renewed vigour and enthusiasm. The Premier also indicated the possibility

of the Government shortly examining the question of undertaking temple-entry legislation in the Province. He reiterated that his Government were always sympathetic towards measures aiming at the amelioration of the Harijan community.

#### NAGPUR UNIVERSITY AMEND. BILL

The House rejected by 57 votes to 24 a motion to refer to a Select Committee a Bill for amending the Nagpur University Act of 1923, after four hours' debate. *Khan Sahab Abdur Rahaman* (Muslim League), who introduced the Bill, urged that the minorities should have a hand in formulating the educational policy of the Province. The Bill provided, *inter alia*, that five members of the Provincial Assembly elected by Muslims and the depressed class M. L. A.'s and the Speaker of the Assembly should have seats on the Nagpur University Court. The Muslim League members and non-Congress Harijan M. L. A.'s supported the Bill. *Maulana S. A. Rauf Shah*, Leader of the Muslim League Party, putting forth the Muslims' views on the Bill, appealed to the Congress Government to show due consideration to their demand as contained in the Bill. He showed how essential it was at present to create an atmosphere of goodwill, which was possible only if the majority community took the minority communities into its confidence and conceded their right to develop their language and culture and safeguarded the rights of minorities. Mr. R. G. *Khaparde*, representing the Nagpur University in the Assembly from the Opposition benches, and the Education Minister, on behalf of the Government, opposed the Bill on the principle that communalism should not be introduced in an academic body like the University. Mr. Gokhale assured the House that the Government would safeguard and protect the reasonable rights of all minorities, but he would not agree to the virus of communalism being allowed to enter the sacred portals of the University. The House then adjourned till September 28.

#### DEMAND FOR A MAHARASTRA PROVINCE

**28th. SEPTEMBER :—**The Assembly to-day discussed a resolution moved by Mr. G. R. *Deshmukh* (Congressman from Berar), recommending to the Government to take steps to constitute the Marathi areas of the Province into a separate Province. The mover said that the recent developments in the Province had given an impetus to the demand for a redistribution of the Province on linguistic basis. There was, he added, a widespread feeling among the Marathi speaking people of C. P. and Berar that the only solution of their difficulties was the separation of the Marathi-speaking areas from the Hindi-speaking districts. He urged that even if an amendment of the Government of India Act of 1935 was found essential for this purpose, the House and the Provincial Government must press for it. Mr. R. M. *Deshmukh*, ex-Minister, moved an amendment, suggesting that the Assembly's verdict on the resolution should be communicated to His Majesty's Government in Great Britain with the recommendation that the British Government should take steps to constitute the Marathi-speaking areas of the Province into a separate Governor's Province. The Premier, the hon. *Pandit, R. S. Shukla* speaking on behalf of the Government, made certain preliminary observations on the subject, explaining the historical background. He had not concluded when the House adjourned.

#### HARIJAN NOMINATION TO LOCAL BODIES

**29th. SEPTEMBER :—**The Assembly rejected without division to-day the motion for adjournment moved by a non-Congress Harijan member, from the Opposition benches, relating to the Government's policy in respect of nominations to local bodies, with particular reference to the Harijan representation. The feature of the debate on the motion was that Dr. *Khare* from the Congress benches took part in the discussion. He opposed the motion while advising the Congress Government of the province to do all possible for the uplift of the Harijan community. Dr. *Khare* asked members of the so-called depressed classes to have faith in the Congress organisation, which he declared was sincerely striving to ameliorate their condition. A number of speakers from the opposition benches including the mover accused the Congress Ministry of making nominations to local bodies influenced by party considerations and ignoring the rights of minorities. They also complained that the Government had failed to act impartially in the matter of securing adequate representation for Harijans through nominations to certain local bodies. The Premier, the hon. *Pandit R. S. Shukla*, opposing the motion on behalf

of the Government, explained the Government's policy. He said that in making the nominations, the Government asked its officers to take into account the claims of various minority communities and special interests. He emphatically repudiated the charge that there was any deviation from this policy and assured the Harijans that the Congress Government would never ignore their reasonable demands or fail to protect the legitimate rights of any minority community, be they Muslims or Harijans. After nearly one and half hours' debate, closure motion was carried and the speakers then put to vote the adjournment motion which was rejected without a division.

#### URDU AS RECOGNISED LANGUAGE

**30th. SEPTEMBER :—**When the draft rules governing the conduct of the Assembly's business were taken up by the House to-day, *Mr. Hidayat Ali* and *Khan Sahab Abdur Rahman Khan* (Muslim League) moved amendments for the inclusion of Urdu in the definition of the term recognised language of the legislature. Almost all Muslim members from the Opposition benches spoke in support of the amendment urging recognition of their demand contained in the amendment. They also explained the Muslim League's views on the subject of fostering and developing the Urdu language, which they cherished most and asked the Congress Ministry not to hesitate in giving effect to the Karachi Congress resolution dealing with protection of minorities, their language and culture, if the Congress desired to win the confidence and good-will of Muslims of the Province. *Mr. D. K. Mehta*, Finance Minister, on behalf of the Government, opposed the amendment. He said that those who had refused to accept the Congress as the national organisation of the country should not draw the Congress Government's attention to the Karachi resolution on minorities and try to find fault with them. *Mr. Mehta* pointed out how financial considerations made it impossible for him to accept the amendment as the publication of proceedings of the Assembly in Urdu script, which was understood by only a microscopic minority in the House was not a reasonable demand. *Mr. Mehta* concluded by appealing for the withdrawal of the amendment. The debate was at this stage adjourned.

#### DEMAND FOR MAHARASHTRA PROVINCE (CONTD.)

**1st. OCTOBER :—**The House resumed discussion to-day of *Mr. R. M. Deshmukh's* motion demanding a separate Maharashtra province. The Premier, *Pandit R. S. Shukla*, while accepting the resolution on behalf of the Government, expressed serious doubts as to whether the new province of Vidarbha, suggested in the resolution, could maintain itself after paying Rs. 25 lakhs, which it would have to pay out of its revenue to *H. E. H. the Nizam*. It might stand in need of subvention. The Premier did not agree with *Mr. R. M. Deshmukh* in the view that they differed in culture, ideas and every aspect of life, and were thus an incongruous lot. This, said the Premier, was a charge against their common heritage, which he could not allow to go unchallenged. The Premier added that if the interests of members of a joint family required that they must separate, then certainly they should separate by mutual consent.

There was an interesting three hours' debate on the resolution which was accepted by the Assembly, some members from the Opposition dissenting with cries of "No".

Then the Speaker ascertained the sense of the House. The resolution was not voted upon. The members from Berar and Nagpur divisions wholeheartedly supported the resolution, while some Mahakoshal members from the C. P. Hindi districts lent a qualified support, stressing the difficulties that the new province would have to face. *The Rev. G. C. Rodgers*, representing Anglo-Indians, also opposed it.

The Assembly rejected without a division two amendments moved by the Muslim League *M. L. A.'s*, *Mir Hidayat Ali* and *Khan Sahab Abdur Rahman Khan*, who made another appeal to the majority party in the House to accept their demand of holding Urdu as a recognised language and emphasised that Muslims were as keen about developing their language as Congressmen were on fostering and encouraging Hindi or Hindustani. The House, however, voted against both the amendments.

The House agreed to another agreement, moved by *Mr. R. M. Deshmukh* ex-Minister (Congress) on the subject of no-confidence motions against a Minister. This amendment provides that if the question sought to be raised is different, a fresh no-confidence motion can be moved against a Minister during the same session even though the Assembly might have taken a decision on such a motion against that Minister. This amendment was not opposed by the Government. The House then adjourned *sine die*.

# The N. W. F. Pr. Legislative Assembly

Autumn Session—Peshawar 3rd. to 22nd. November 1936

The autumn session of the N. W. F. Pr. Legislative Assembly commenced at Peshawar on the 3rd. November 1938. Of the eight adjournment motions tabled by *Khan Bahadur Sadullah Khan*, the *Speaker* held six motions out of order and disallowed the remaining two as these were not supported by the requisite number. The motions of adjournment related to the failure of the Government to check the alarming increase of crime in the Province.

The *Premier* laid before the House the Prohibition Ordinance, which prohibits the manufacture, sale and consumption of intoxicating liquors and drugs in the Frontier Province.

The *Speaker* placed before the House amendments to the North-West Frontier Province Courts Regulation Amendment Bill as suggested by H. E. the Governor, all of which were adopted without opposition.

## DEBTORS' RELIEF BILL

A heated discussion took place on the motion of the hon. *Kazi Ataullah Khan*, Education Minister, to refer the North-West Frontier Province Agriculturist Debtors' Relief Bill to a Select Committee. *Kazi Ataullah* assured the House that the Government were not actuated by communal considerations in bringing forward the measure. It was simply intended to give relief to the peasantry in distress. *Rai Bahadur Meher Chand Khanna*, opposing the motion, characterised the Bill as "an un-economical and unpracticable measure. He said that the Bill was of a controversial nature and the Government would be making a mistake if they attempted to hurry it through the present session. The Bill was eventually referred to a Select Committee. The House then adjourned.

## STOPPING OF ADDRESS TO ZAFAR ALI

**4th. NOVEMBER :—**The House took up to-day *Khan Bahadur Sadullah Khan's* motion of adjournment to discuss the telegraphic orders of the Government, stopping the presentation of an address of welcome to Maulana Zafar Ali, President-elect of the Mardan District Muslim League Conference. Mr. *Aurangzeb Khan*, Leader of the Opposition, supporting the motion, condemned the policy of the Government in this regard. The action of Government had brought discredit to the Province, which was well-known for its hospitality. *Pir Baksh*, Mr. *Abdurrah Nishtar* and *Rao Bahadur Isher Das* strongly supported the motion. Mr. *Arab Abdul Gaffur* and *Rao Bahadur Chaman Lal*, Parliamentary Secretaries, opposed the motion, the last-named declaring that the Government had every reason to believe that certain persons were dangerous to society and were indulging in nefarious propaganda. Dr. *Khan Sahab*, in an impassioned speech, challenged the House to overthrow the Government if it did not like it. He deplored the communal colour lent to the debate. Following a division, which was demanded by the Leader of the Opposition, the motion was lost by 28 votes to 18.

## THE BANNU RAID

**5th. NOVEMBER :—***Rai Bahadur Meher Chand Khanna's* adjournment motion to discuss "the failure of the authorities" to prevent and combat the raid on Bannu on the night of July 23 last evoked a heated discussion to-day. After several speakers had supported it and the *Premier*, the hon. Dr. *Khan Sahab*, had replied to the debate on behalf of the Government, the motion was defeated by 25 votes to 22. Moving his adjournment motion, *Rai Bahadur Khanna* drew attention to the insecurity of life and property which prevailed in the Bannu and Dehra Ismailkhan districts and quoted figures to show that a large number of Hindus had been ruined as the result of the raid on Bannu. He referred to the circumstances leading to the raid and added that even after the raid had taken place, nothing tangible was done by the authorities to compensate those people who had suffered enormous losses. The

sum of Rs. 20,000 sanctioned by the Government to compensate the sufferers was most inadequate. Replying to critics, *Dr. Khan Sahib* said that the House was aware that the military, constabulary and khasadars were not under the Provincial Government. Even if they were, the Government could not provide for the complete security of the people. *Dr. Khan Sahib* condemned the circulation, by those whom he characterised as interested persons, of false and alarming news which caused panic in the Province. Referring to the personnel of the Banau Raid Enquiry Committee, the Premier assured the House that justice would be done and heavy punishment would be inflicted on those responsible for the raid. The Premier requested the mover to withdraw the motion. *Rai Bahadur Mehar Chand Khanna* said that he had not moved the motion merely with a view to censuring the Government, but because they had failed to infuse that sense of security in the Province which was the *sine qua non* of Responsible Government. He sympathised with the Premier in as much as he was helpless as far as the military and constabulary were concerned but he was confident that any other Provincial Government would have sought their help to maintain law and order. The motion was pressed to a division by the Opposition and resulted in a victory for the Government.

#### THREE BILLS PASSED

The House next passed the North-West Frontier Province Legislative Assembly (Members' Allowances) Bill, the North-Western Frontier Province Famine Relief Fund Bill and the Kohat Mazri Control Bill.

**8th. NOVEMBER :—**The House took up to-day the reconsideration of the Teri Dues Regulation Bill and the Frontier Muslim Wakf Bill. All amendments to these Bills were adopted unanimously.

#### DISSOLUTION OF MARRIAGE BILL

*Pir Baksh Khan's* North-West Frontier Province Muslim Dissolution of Marriage Bill, which aimed at the consolidation of the provisions of Muslim law relating to suits by married Muslim women for dissolution of marriage, and also the removal of any doubts as to the effect of apostasy of a married Muslim woman on her marriage tie, was circulated for eliciting public opinion.

#### FRONTIER TENANCY AMEND. BILL

*Mr. Abdurrah Khan Nishtar* moved that the Punjab Tenancy (Frontier) Amendment Bill be referred to a Select Committee to report within seven days. *Kazi Attallah's* amendment motion, namely, that the Bill be circulated for eliciting public opinion by February 1 next, was carried.

#### LIBERTY OF THE PRESS

The Speaker, *Malik Khuda Bux* next called upon *Rai Bahadur Mehar Chand Khanna* to move the adjournment motion to discuss "a matter of urgent public importance, namely, the curtailment of the liberty of the press by the Provincial Government." The *Rai Bahadur* said that since a Government who professed to be exponents of the principle of liberty, had come into power, there had been an indiscriminate gagging of presses and newspapers alike. Alluding to the Congress Manifesto, the mover said that the clauses in it relating to civil liberty and the right of expression were not being observed in this Province. If this was a real and honest Congress Government, why should there be any difference in the policy pursued by this Government and by other Congress Governments? He regretted the majority of papers in the Province were black-listed and he appealed to the Premier to revise his policy in that regard. The Premier, the hon. *Dr. Khan Sahib* made a spirited defence of the Government's policy in regard to the curtailment of the liberty of the press. He agreed with the members that freedom of speech and liberty of the press were essential for the country's progress. The Premier read out a few passages from two vernacular papers; he also read out from the same newspapers humorous extracts, which brought forth peals of laughter from all sections of the House. Concluding, the Premier hoped that the mover would agree with his policy and withdraw the motion.

The motion was pressed to a division and rejected by 25 votes to 22.

#### LANGUAGE IN THE LEGISLATURE

Giving his ruling on the request of four members, that they should be allowed to speak in Urdu and Pushto, the Speaker, *Malik Khuda Bux* said that whenever any member thought he was unable to express himself on any subject in English, the

Speaker would give him liberty to address the House in any language he liked. But it should be remembered that all important subjects, which members thought, should go to higher authorities, should be expressed in English. That was mere advice and was not binding on the members. It was discretionary to them. As regards questions, the Speaker said that they might be dealt with as at present, but with a single exception, that if any member put in a supplementary question in Pushto, it ought to be answered in Pushto and if the supplementary question was put in Urdu, it ought to be likewise answered in Urdu. The House then adjourned.

#### CONTROL OF DRUGS

**9th. NOVEMBER :—**Two official resolutions, one of which was moved by the Premier, that matters relating to the production and supply and the distribution and statistics of employment of drugs, medicines and biological products, as enumerated in the Provincial Legislative List, be regulated in this Province by Acts of the Federal Legislature, were adopted unanimously to-day.

#### NON-OFFICIAL RESOLUTIONS

**10th. NOVEMBER :—**Non-official resolutions were taken up to-day. The House unanimously adopted *Pir Muhammad Khan's* resolution, recommending to the Government to establish an Intermediate College at Abbottabad (Hazara district) at once. Explaining in fluent Urdu the Government's education policy, the hon. *Kazi Attaullah*, Education Minister, fully shared the aspirations of the mover of the resolution. He added that in view of the prevailing illiteracy of the masses in the Province, the Government were sponsoring primary education, which was the need of the hour. When the time came and the funds permitted, the Government would not hesitate to open such colleges in every District in the Frontier.

*Mr. Arbab Abdur Rahman Khan's* resolution recommending to the Government that in view of the widespread agitation, the professional tax should be discontinued at an early date evoked a heated discussion. *Kazi Attaullah*, speaking on behalf of the Government, said that the Government were not directly responsible for the tax as it was imposed by the district boards at the time of the Abdul Qayyum Ministry. The Minister, however, suggested the appointment of a committee of the House to find out if the methods of assessment were correct. The resolution was passed.

#### DEBTORS' RELIEF BILL (CONTD.)

**14th. NOVEMBER :—**The hon. *Kazi Attaullah* presented to the House to-day the report of the Select Committee on the Frontier Agriculturist Debtors' Relief Bill. Speaking on the second reading of the Bill, he said it was agreed on all hands that there was great necessity for relieving agriculturists of their heavy indebtedness and affording them adequate relief by suitable legislation. The Minister explained that the Bill had been framed on the lines of the Madras Act. He deprecated the suggestion that the Bill would adversely affect the interests of the minorities in the Province. He expressed the opinion that the relations between the majority and minority communities had been greatly estranged as a result of the increase in the money-lending activities of a certain class, and that the Bill aimed at checking the dishonesty and corruption of that class. *Mr. Jagat Singh* (member of the Hindu-Sikh Nationalist Party) moved an amendment to the effect that the Bill, as reported by the Select Committee, be circulated for eliciting public opinion thereon by 1st January, 1939. *Mr. Ajit Singh* (member of the Hindu-Sikh Nationalist Party) moved an amendment to the effect that the Bill be re-committed to the same Select Committee to report by 1st January, 1939 in respect of the clause relating to the licensing of money-lenders and the definition of agriculturists. *Mr. Tek Chand Dhingra*, representing the minorities' point of view, favoured the re-commitment of the Bill to the Select Committee. *Rai Bahadur Meher Chand Khanna* criticised the measure and said that it was a negation of the principle of equity and justice. He characterised it as a one-sided and communal measure. The *Rai Bahadur* had not finished his speech when the House adjourned.

**15th. NOVEMBER :—**After discussion to-day, the motion of the *Education Minister* was passed by an overwhelming majority. Two other motions, moved yesterday by *Sardar Ajit Singh* and *Sardar Jagat Singh* respectively, were rejected. Division was claimed on *Sardar Jagat Singh's* motion for the re-circulation of the Bill, as reported by the Select Committee, for eliciting public opinion thereon by 1st January, 1939. Five voted for the motion and 36 against. *Dr. C. C. Ghosh* and *Mr. Tek*

*Chand Dhingra* who (it will be recalled) walked out from the meeting of the Select Committee, voted in favour of the motion. *Sardar Ajit Singh's* motion that the Bill be re-committed to the same Select Committee in respect of certain clauses was lost without a division. On behalf of the Government, the hon. *Ataullah Khan* strongly criticised the dilatory tactics of certain members of the House, who supported the motions for recommitment and re-circulation. He said that no useful purpose would be served by impeding the progress of the Bill, which had been before the public for more than seven months. He hoped that the House would agree to the motion for consideration of the Bill, which aimed at alleviating the sufferings of poor agriculturists. *Rai Bahadur Meher Chand Khanna*, ex-Minister suggested that the Government should remit agriculturists' arrears of land revenue, water rates and takavi loans and not resort to remedies which might prove detrimental to the interests of minorities. *Pir Baksh Khan* expressed the opinion that the Bill was not of an unprecedented nature and that it was the moral duty of the House to pass such legislation. *Rai Bahadur Isher Das*, in a lucid speech, supported the cause of money-lenders, who, he said, belonged to a profession which was honourable. The Bill, which was of a reactionary and retrograde nature, would annihilate the money-lending class. Money-lenders, in his opinion, were not solely responsible for the present misery of the ryots, since the currency, exchange policy of the Government of India, the non-industrialisation of rural areas and the prevailing illiteracy were equally responsible. Mr. *Abdur Rab Nishtar* said that the Select Committee had made changes which were justified. He referred to the incorporation of the provision relating to the licensing of money-lenders and expressed the opinion that the honest money-lender would not entertain any fears as the provision was calculated to banish dishonesty from the profession.

The Bill was then taken up clause by clause and amendments were moved. Before the House adjourned it disposed of 16 amendments, all relating to Clause 2, which contained a definition of the word "agriculturist". All the amendments standing in the name of Hindu Congress members were withdrawn. Dr. *C. C. Ghosh* wished to make a statement on the Bill, but the *Speaker* disallowed it stating that, when amendments to the Clauses were under discussion, any statement on the Bill was unwarranted.

#### FRONTIER PRIMARY EDUCATION BILL

**16th. NOVEMBER :—**The North-West Frontier Province Primary Education Bill, 1938, sponsored by *Pir Baksh Khan*, was passed to-day. Two amendments were lost. *Mian Jafar Shah* (Congress) tabled a motion of adjournment to discuss the alleged assault on the villagers of Tangi in the Nowshera sub-division, by British soldiers. Following an assurance from the Premier, the hon. *Dr. Khan Sahib* that a thorough enquiry would be held into the incident, of which the Government had no knowledge at present, the mover withdrew his motion.

#### ARTIFICIAL GHEE COLORISATION BILL

*Mr. Tek Chand Dhingra's* Bill to make provision for the colorisation of all artificial ghee in the Frontier Province was referred to a Select Committee to report before the next session of the Legislature.

#### THE BANNU RAID VICTIMS

**17th. NOVEMBER :—**The Assembly disposed of non-official resolutions to-day. Considerable heat was imported into the discussion on *Rai Bahadur Meher Chand Khanna's* resolution, recommending to the Provincial Government to appoint a committee of the House with the Prime Minister as Chairman, to enquire into the loss of property incurred by the various inhabitants of the districts of Bannu and Dehra Ismail Khan since the starting of the Waziristan operations of 1937 and to suggest the grant of adequate compensation in each deserving case. After a two-hours' discussion, the resolution was defeated. The *Premier* fully sympathised with the mover of the resolution, adding that he had personally visited the affected areas and had done what was possible under the circumstances. He expressed the opinion that no useful purpose would be served by the appointment of such a committee when the Government were well aware of their financial limitations. The *Premier*, however, assured the mover that the Government would approach the Central Government for a substantial grant to compensate the sufferers and when the amount was available, the Provincial Government would appoint a committee as suggested. The *Premier* hoped that in view of this assurance, the resolution would be withdrawn. Explaining his position, *Rai Bahadur Meher Chand Khanna*

stressed the fact that he was not actuated by malicious motives against the Government in bringing forward that resolution, but his grievance was that despite repeated appeals from the people for compensation and protection, the Government had taken no action in that direction. He agreed with the Premier that there was a lack of funds but expressed the view that it was the primary duty of a popular Government to look into the people's grievances. He would withdraw his motion if the House agreed but Sardar Aurangzeb Khan, Leader of the Opposition, shouted "no" and the resolution was eventually lost.

#### DEBTORS' RELIEF BILL (CONTD.)

**19th. NOVEMBER :—**The hon. *Dr. Khan Sahib* explained to-day the Government's position with regard to the reversion of the Agriculturist Debtors' Relief Bill to the original form. In doing so, he said, "On one side, there is the Muslim League element dragging the Government to the one extreme and on the other side, the Mahasabha members trying to pull as to the other extreme. We are trying our best to bring them together, the duty of the Government is clear and their policy is also always clear and definite. The Premier added that until eventually the members of the Mahasabha and the Muslim League were brought together, the Government would not be satisfied.

Many spirited speeches were made when the House took up discussion on Mr. *Arab Abdul Ghaffar Khan's* amendment, deleting Clause 2 of the Select Committee report and substituting therefor Clause 2 as it occurred in the original Bill.

Mr. *Abdur Rab Nishtar*, on a point of order, stated that, according to parliamentary procedure, when the former part of a question was amended or amendments thereto proposed or rejected, no amendment relating to the latter part of that question could be moved. Mr. Nishtar, therefore, objected to Mr. *Arab Abdul Ghaffar's* amendment. After the Leaders of the parties in the House, including the hon. *Kazi Attaullah Khan*, had spoken and the Advocate-General had explained the legal implications, the Speaker, *Malik Khuda Bux* ruled out Mr. Nishtar's point of order. *Pir Baksh* and Mr. *Abdul Rab Nishtar* spoke, criticising the amendment. Mr. *Arab Abdul Ghaffar Khan*, replying to the debate, refuted all the allegations made against the Government by previous speakers and assured the House that the Government took that course strictly on principle and not with a view to placating any party. The amendment was pressed to a division and passed by 28 votes to 14.

Mr. *Arab Abdul Ghaffar's* next amendment, relating to Clause 3, was still under discussion when the House adjourned till Monday.

**21st. NOVEMBER :—**Members of the Hindu-Sikh Nationalist Party, headed by *Rai Bahadur Meher Chand Khanna*, staged a walk-out to-day as a protest against the attitude of the Government with regard to the Party's amendments to the Bill. Speedy progress was made this morning with the Bill, the Government benches not participating in active discussion. Mr. *Jagat Singh's* amendment, which precipitated the walk-out, urged that the measure should have retrospective effect only in respect of debt interest or any other transaction existing three years before the passing of the Act. *Rai Bahadur Meher Chand Khanna*, announcing his intention on behalf of his Party to abstain from further participation in the discussion on the Bill, characterised the measure as symbolic of majority tyranny over the minorities in this Province.

#### AGRICULTURAL PRODUCE MARKETS BILL

**22nd. NOVEMBER :—**Mr. *Jagat Singh* continued his unfinished speech to-day on his motion that the Frontier Agricultural Produce Markets Bill be circulated to elicit public opinion thereon. *Rai Bahadur Meher Chand Khanna* characterised the Bill as "a Black Bill" and said that he had closely studied the measure and had come to the conclusion that it was analogous to a similar Bill introduced in the Punjab Legislative Assembly. He attacked the provisions of the Bill relating to the licensing of traders and expressed the opinion that in no other Congress Province did such provisions exist. Therefore, he supported the motion for circulation. The hon. *Khan Mahomed Abbas Khan*, Minister for Industries, explaining in Urdu the principle of the Bill, said that the Government were not actuated by communal considerations. It was only sought to safeguard the interests of agriculturists from unscrupulous traders who "were sucking their bloods."

Mr. *Jagat Singh's* motion for circulation was pressed to a division and was carried by 23 votes to 10. The House then adjourned *sine die*.

# The Orissa Legislative Assembly

Autumn Session—Cuttack—29th. August to 9th. September 1938

## OFFICIAL RESOLUTIONS PASSED

The autumn session of the Orissa Legislative Assembly commenced at Calcutta on the 29th. August 1938 with Mr. *Mukund Prasad Das*, Speaker in the chair, who made a statement regarding the constitution of a Standing Rules Committee on which there was a Government resolution for the constitution of such a committee.

On a resolution moved by Mr. *Biswanath Das*, Premier, the House appointed a committee of privileges consisting of the Deputy Speaker as chairman. A standing rule committee was constituted on the motion of the Leader of the House, with the Speaker as chairman. Mr. *Bodhrum Dubey*, Minister for Law and Commerce, moved a resolution that it was desirable that (1) trade and commerce within the province in drugs, medicines, and biological products, (2) production, supply and distribution of Drugs, medicines and biological products (3) adulteration of drugs, medicines and biological products, (4) fees in respect of these, (5) inquiries and statistics for purpose of matters mentioned in clauses 1 to 4. (6) offences against laws with respect to matters mentioned in clauses one to five, and (7) jurisdiction and powers of courts with respect to matters mentioned in clauses one to six, which are among matters enumerated in the provincial legislative list should be regulated in this province by an Act of the Federal Legislature. Mr. Dubey, speaking on the resolution, stated that for the proper control of traffic in drugs it was advisable to have a common standard for all provinces which was possible only through an Act of the Federal Legislature. Mr. *M. G. Patnaik* and Mr. *L. Rahman*, opposing the resolution, stated it would deal a death blow to the manufacture of drugs in the province and they felt that the Provincial Government was giving away some of its powers. The resolution was carried by 40 to 11 votes.

The House also passed a resolution to the effect that it was desirable that the following matters, being matters enumerated in the Provincial Legislative List, should be regulated in the Province by an Act of the Federal Legislature, namely (1) statistics of employment, (2) offences against and the jurisdiction and powers of courts with respect to the said Act of the Federal Legislature.

Mr. *Bodhrum Dubey's* Orissa Prevention of Adulteration and Control of Sale of Food Bill, 1938 was referred to a Select Committee.

## REORGANISATION OF SECRETARIAT

**30th. AUGUST :—**The Assembly took up discussion, this morning, of the Government resolution asking the Assembly to take into consideration the report of the Orissa Secretariat Reorganisation Committee and to authorise the Government to give effect to its recommendations as far as is considered necessary. One of the recommendations of the Committee related to separation of the Legislative Department. The Speaker, at the outset, said that he was in favour of separation. He had sent his views to the Government. Mr. *Biswanath Das*, Premier, moving the resolution, stated that soon after the Congress assumed office, they found it necessary to reorganise the Secretariat. Consequently, they appointed a Committee. They did not accept all the recommendations of the Committee, but wanted to give immediate effect to some of the recommendations. He added that the Government had no objection to separation of the Assembly Department if the Speaker so desired, but they felt it would entail additional expenditure. Mr. *M. G. Patnaik* felt that the difficulties to the Secretariat were due to three different systems of administration prevailing in the Province, and they would not be solved by strengthening the staff as recommended by the Committee. He opposed the proposal for recruitment of staff on a permanent basis. He moved an amendment for postponing consideration of the report. The resolution was passed on the next day, the 31st August.

## THE MONEYLENDERS' BILL

**31st. AUGUST :—**Mr. *Biswanath Das* introduced to-day the Money-lenders' Bill. In moving for the consideration of the Bill Mr. Das stated that the old idea, that it was

the primary duty of the debtor to pay the creditor with a view to ridding oneself of one's sins, was utterly forgotten. Neither the debtor nor the creditor was advancing it after estimating the capacity of the debtor. Judges having to administer law and ignorant of Indian conditions had forgotten to apply old Hindu principles. The Moslem religion totally prohibited the charging of interest while the Hindu law put limitation on the taking of interest. Mr. Das stated that a conference was held to consider the question of legislation in this connexion, to which members representing the Opposition groups were invited. The Bill was drafted on the lines of the conclusions arrived at the conference. Mr. V. K. Raju moved an amendment for the circulation of the Bill. Mr. M. G. Patnaik supported the amendment. The House rejected Mr. Raju's proposal and accepted the amendment of Mr. Nabakrishna Chowdhury for reference of the Bill to a select committee.

#### FAMINE FUND AMEND. BILL

**1st. SEPTEMBER :—**The Assembly passed to-day the Orissa Famine Fund Amendment Bill, making provision for utilising the excess of the statutory limit of Rs. 10 lakhs standing in the Fund for protective irrigation work which were essentially needed in a flood-stricken province like Orissa.

#### THE MONEYLENDERS' BILL (CONTD.)

Mr. Brajasundar Das, Deputy Leader of the Opposition, speaking in favour of circulation of the Money-lenders' Bill stated that while control over moneylending was necessary he wanted the Government to adopt an attitude of caution as any scare created by the Bill would adversely affect the public, especially the small landholders who often received timely help from moneylenders. Mr. Latifur Rahman stated that facilities for borrowing should be created before such legislation as the present measures was passed. The Rev. E. M. Evans made the most striking speech of the day opposing circulation. A good number of Bills had been passed but, in his opinion, none was more important than the present measure. It was long overdue. Mr. A. S. Khan, supporting the move for circulation, made strong remarks against the Congress Ministry. They "not only govern but overgovern", he said. Mr. Bitchitranda Das said that if there was any piece of legislation which was overdue it was the Money-lenders' Bill. Mr. Jadumoni Mangaraj next rose to reply on behalf of the Government. This was objected to by Mr. M. G. Patnaik and Mr. Latifur Rahman who stated that only the mover of the Bill should reply. The Speaker stated that though on a former occasion he had allowed the parliamentary secretary to reply on behalf of the Government he now found that according to the rules only the mover should reply. While giving the assurance that this rule would be followed the Premier stated if the parliamentary secretary attached to him spoke he was speaking on the Premier's behalf.

#### RELIGIOUS ENDOWMENTS BILL

**2nd. SEPTEMBER :—**Mr. Biswanath Das, Premier, moved to-day the Orissa Religious Endowments Bill. He stated that in the past, whatever religion was professed by the Ruler, he had control over all religious endowments. Explaining why the Government had introduced the present Bill, in spite of two previous non-official Bills, he said that the present Bill aimed at controlling endowments through a Commissioner appointed by the Government so that the Assembly would have full control over the administration of endowments through a separate department. Mr. M. G. Patnaik, opposing the Bill, argued that there was not much difference between the Government Bill and his and Mr. Godavaris Misra's Bills. Such modifications as were desired could be effected by amendments to those non-official Bills.

#### ORISSA INDUSTRIAL DEVELOPMENT

The Assembly then considered the adjournment motion by Mr. Latifur Rahman regarding the reported decision of the Government to give a monopoly to a certain chemical company in Calcutta for collection of chemicals in Orissa.

The Premier explained the Government's Industrial policy. He stated that the Government were anxious to see industrial development effected in the province. As he had already said in his Budget speech, the Government were going to encourage the establishment of two factories—a paper mill and a chemical works. The Government were anxious to see the raw materials of the province properly utilised. The chemical company (referred to in the adjournment motion) had wanted to start a

chemical factory "with the blessings of Government if possible." The Premier added that since the Government wanted to encourage *swadeshi* instead of purchasing goods from factories in Calcutta and Bombay, it would be to the province's and the Government's benefit if factories were established in Orissa. "If a company were started in Orissa to-day, the Orissa Government will not only give it its blessing but will do something more." The *Speaker* thereupon stated that the whole basis of Mr. Rahman's motion depended on newspaper reports. The Government had issued a long statement declaring that they had not arrived at a decision. He therefore disallowed the adjournment motion.

#### ORISSA PROHIBITION SCHEME

**3rd. SEPTEMBER :—**The Orissa Government's scheme of prohibition was explained in the Assembly to-day when a supplementary demand for Rs. 28,863 under "excise" was presented to the House. The scheme is at present restricted to the prohibition of opium in Balasore district. Mr. *Bodhrum Dubey*, Minister, in presenting the estimates, stated that the Government's scheme was to abolish 33 shops situated in the interior of the district. The 13 shops situated on the border of the district will not be interfered with. In places where opium shops will be closed down, 22 dispensaries will be opened. These centres will be utilized for the registration of addicts and for looking after their health. Supply of opium to these addicts will also be made from these dispensaries. Over and above these dispensaries, there are 14 other such institutions already in existence in the district. The Government's object, the Minister said, was to collect statistics and to carry on propaganda as also to find out the requirements of addicts, which would be reduced. The propaganda to be carried out by Government officers, which would require an addition to the staff, and non-officials will begin from October 15. An additional staff will be required to stop smuggling. The present revenue from opium was rupees four lakhs. In the Budget for 1938-39 the Government had provided for a loss of rupees one lakh, but they did not expect that loss now, as total prohibition will be introduced only from April 1, 1939. The Government did not expect any loss this year, but after total prohibition was introduced, the loss on opium would be felt.

Mr. *M. G. Patnaik* opposed the provision for extra staff as the Government did not intend to introduce total prohibition until April next. The cut motion was defeated and the entire demand passed.

#### SUPPLEMENTARY DEMANDS

Earlier, the demand for Rs. 98,340 under "Land Revenue" for work of record of rights and of settlement of rents in Ganjam district in the zemindari areas in 1,198 villages, was passed. A demand for a grant of Rs. 4,950 under "forests" was also passed. It was intended to depute a candidate from the province for training in the Forest Research Institute at Dehra Dun. The next demand passed was Rs. 9,000 under "irrigation".

**5th. SEPTEMBER :—**A supplementary demand of Rs. 4,300 for subscribing to the services of two news agencies was passed to-day. The Premier, Mr. *B. Das* said that there was need to subscribe the news agencies unless they followed the previous governments and "bribed the Press." News agencies in Orissa were doing useful publicity work for the Government and the Province despite severe handicaps like heavy expenditure.

During discussion on a supplementary demand the Premier made a statement on a point raised by Mr. *Patnaik* as to whether Ministers constituted the Government. He called Mr. *Patnaik's* contention an amazing statement and said that Congress had accepted office on the assurance that there would be no interference in the day to day administration of the Ministers, who formed the Government.

**6th. SEPTEMBER :—**Various schemes to encourage industries, especially cottage and village industries, to improve agriculture and to promote co-operation, were the subject matter for supplementary demands for grants to-day.

#### FOOD ADULTERATION CONTROL BILL

**7th. SEPTEMBER :—**The Hon. Mr. *Bodhrum Dube*, Minister presented to-day the Select Committee's Report on Orissa Prevention of Adulteration and Control of Sale of Food Bill. Provisions have been made in this bill for prohibiting sale of food stuffs by persons suffering from infectious and contagious diseases. It aims at adequate provisions for ensuring that food intended for human consumption is sold in pure and genuine condition. *Rev. E. M. Evans* Mr. *G. C. Thatraj* and Mr.

*Brojosundar Das* congratulated the Government for bringing such a measure. *Rev. Evans* wished that provisions of the bill were soon extended over partially extended areas also. The Minister, *Mr. Bodhrum Dube* said that such a bill was long overdue and he was glad to get the opportunity of sponsoring the same. *Mr. Dube* said that this Act would be enforced according to needs of different parts of province including the partially excluded areas. The bill was then passed and the House adjourned.

#### AGENCY AREAS IN ORISSA

**8th SEPTEMBER :—**The hon. *Mr. Biswanath Das*, the Premier, welcoming the resolution moved by *Mr. Atal Behary Acharya* to bring under normal administration all the partially excluded areas of the Province, stated that although special powers were vested in the Governor, the Ministry was responsible for the administration of the areas and the initiative for their development came from the Ministry. In the last elections, he added, out of 80,000 women voters who exercised their franchise, 20,000 belonged to Sambalpur and Koraput and this fact revealed how the people in the partially excluded areas were casting their votes and choosing their representatives. There was no justification for the Viceroy or the Governor having special powers for the administration of these areas.

The resolution was carried unanimously and the House adjourned *sine die*.

#### Acts passed by the Orissa Assembly in 1937-38

The following measures have been passed by the Assembly in the first year of its existence :—

- (1) **The Orissa Ministers' Salary Act, 1937** (Fixing salary of each of the Ministers).
- (2) **The Orissa Legislative Assembly Speakers and Deputy Speaker's Salary Act, 1937.**
- (3) **The Orissa General Clauses Act, 1937** (For interpretation Acts).
- (4) **The Orissa Offices of Profit (Removal of Disqualification) Act, 1937.**
- (5) **The Agriculturists' Loans (Orissa Amendment) Act, 1937** (To allow Provincial Government to grant loans to agriculturists to redeem their debts).
- (6) **The Orissa Legislative Assembly Members' Salaries and Allowances Act, 1937** (Fixing the salary of members).
- (7) **Repeal of the Bihar and Orissa Public Safety Act, 1938** (Large emergency powers given to the Government under this Act were under the changed circumstances found obsolete and the repeal of the Act gave a legal recognition to such state of affairs).
- (8) **The Orissa Co-operative Land Mortgage Act, 1938**, was passed authorising the Government to establish a Central Land Mortgage Bank with a view to remove the long-felt need of the cultivators to secure long-term loans to rescue themselves from the clutches of ancestral indebtedness.
- (9) **The Madras Estates Land (Orissa Amendment) Bill, 1937.** The Bill was passed by the Assembly to substitute raiyatwari assessment with increase up to two annas in the rupee instead of full half of gross produce paid to zamindars by the raiyats. The payment of half the gross produce of land to the zamindars has been acting very adversely on the economic life of the tenant population and the present piece of legislation is an attempt to improve the lots of these people and increase thereby rural happiness and contentment.
- (10) **The Orissa Tenancy Amendment Bill of 1937** was passed in the Assembly which proposes to abolish mutation fees by giving free right of transfer to agricultural holdings, by giving right of trees to raiyats except existing rights in trees if they are specifically registered in the name of the zamindars and also by penalising the exaction of illegal cases. The Act also seeks to reduce the rate of interest on arrear dues from 12 and a half per cent to 6 per cent.
- (11) **The Moratorium Act of 1938**, for cultivators of Inam villages was passed.
- (12) **Orissa Small Holders' Bill, 1938** was passed by which decree-holders cannot sell holdings of raiyats to an extent of less than 6 acres of wet lands and 12 acres of dry or rain-fed lands and also their houses in execution of decree for a period of 12 months beginning with 13th June 1938.
- (13) **Legal Practitioners' Act Amending Bill, 1938**, allowing Muktears to practise in South Orissa.
- (14) **Nurses and Dais Registration Act, 1938** (To allow nurses and dais to benefits of registration and State control).

**Government**  
—*December*

भारत-भारती



सत्यमेव जयते

# Provincial Governments At Work

## Activities of the Bengal Government

In the following pages have been set forth some of the more striking activities and achievements of the various provincial ministries since they assumed office in April 1937 under the Government of India Act, 1935. Firstly, we reproduce extracts from a resume of the Bengal Government's activities since April 1937 as published by the Public Information Department, Bengal :—

The criticism levelled against the Ministry that they have no programme and are following no definite policy in pursuance of that programme is entirely unfounded and misconceived. It will be remembered that after the general elections were over the Moslem League Party and the Proja Party agreed to form a coalition on the basis of a definite programme, and that programme was as follows :—

"(1) In view of the fact that the land revenue system, known as Permanent Settlement and the land laws of Bengal have arrested the economic growth and development of the province and have adversely affected the national outlook of the people, a committee of enquiry be immediately appointed to devise ways and means to get them replaced by a more equitable system and laws suitable to the needs and requirements of the people.

(2) Amendment of the Bengal Tenancy Act with a view (a) to reducing rent by fixing a maximum for each class of land ; (b) to repeal the provision relating to enhancement of rent in the interests of the tiller of the soil ; (c) to recognise right of mutation of names and division of holdings without fees ; (d) to annul the landlord's rights of pre-emption ; (e) to abolish nazar salami ; (f) to provide criminal remedy for all exactions, e.g., abwabs, etc. ; (g) to take such other steps as may be necessary for the relief of the peasant.

(3) Amendment of the Public Demands Recovery Act specially to mitigate the rigours of the certificate procedure.

(4) To devise ways and means of freeing the cultivators from the crushing burden of indebtedness.

(5) Amendment of the Co-operative Societies Act so as to make it really conducive to the economic advancement of the people.

(6) Immediate introduction of free compulsory primary education without taxation of the poor who are unable to bear the burden.

(7) Reduction in the cost of administration.

(8) To control the price of jute through (a) limitation of production ; (b) marketing boards ; (c) other suitable measures.

(9) Resuscitation of dead and dying rivers and khals through local manual labour.

(10) To undertake measures of public health and rural sanitation.

(11) Repeal of tobacco tax and taxes on the necessities of life.

(12) Repeal of repressive laws and release of political prisoners and detenues, consistent with public safety.

(13) To devise ways and means for solving the unemployment problem.

(14) Amendment of the Calcutta University Act and the establishment of a Board of Secondary Education in Bengal.

(15) Amendment of the Calcutta Municipal Act."

### REVENUE COMMISSION

Regarding item No. 1, of the programme, the Ministry devoted their attention to the question of investigating into the working of the Permanent Settlement and the land laws of Bengal almost immediately after their assumption of office. Instead of a committee they decided to appoint a commission so that the investigation might be more thorough and authoritative. The difficulty they

had to encounter was with regard to the selection of a suitable Chairman who would be impartial and independent and at the same time thoroughly competent, sufficiently experienced and fully conversant with the revenue and land tenure systems of the countries and who would, therefore, be able to deal effectively and efficiently with a problem so vast.

#### TENANCY ACT AMENDMENT

With regard to the second item of the programme, namely, the Amendment of the Bengal Tenancy Act, it is common knowledge that the Bill which the Ministry piloted through the Legislatures and which the Legislatures have passed not only bestows the boons and benefits mentioned in the programme but goes much further.

(1) The Bill completely abolishes the landlords' fees on transfer.  
(2) The Bill abolishes the landlords' right of pre-emption when occupancy holdings are sold.

(3) The Bill reduces the rate of interest on arrears of rent from 12 and a half per cent. to 6 and one-fourth per cent.

(4) The Bill suspends for 10 years the operation of the sections in the Tenancy Act which authorises the enhancement of the rents of tenure-holders and raiyats.

(5) The Bill gives in some cases under-raiyats the rights of transfer and surrender, hitherto only enjoyed by occupancy raiyats.

(6) The Bill ensures that if any raiyat or under-raiyat has given his land in usufructuary mortgage, whether before or after 1938, he will be able to get that land back after 15 years at most, the principal of his debt as well as the interest being cleared off.

(7) The Bill relieves the landlords from the necessity of suing for more than one year's rent, even if 4 years' rents are due and then he must wait for nine months, instead of three, before he is able to file another suit. In consequence of this change in the law, many tenants are likely to be saved from the burden of a decree for four years' rent at one time resulting in the sale of his holding for the realisation of the decretal amount.

(8) The Bill abolishes the right of private landlords to use certificate procedure for the realisation of rent.

(9) The Bill makes the realisation of *always* punishable with a fine and authorises the Collector to impose the fine after a summary enquiry.

(10) The Bill gives to tenants whose lands have been diluviated (1) a right to proportionate abatement of rent, and (2) the right of re-entry on those lands, on payment of not more than 4 years' rent, if they reform within 20 years.

It will, therefore, appear that the Bengal Bill goes a long way farther than the Bills which are still on the anvil of the Legislature in some of the other provinces. A brief comparison between the Bill passed in Bengal and the Bills under consideration in other provinces will bring out the salient features of the former. The Bihar Bill, for instance, does not abolish the salami, it does not stop the enhancement of rent, it does not make such provisions for the benefit of the under-raiyats as have been made in the Bengal Bill. The Bihar Bill for the first time grants to the tenants the right to trees, tanks, etc., which was granted to them in Bengal as long ago as 1928, it provides for the speedy realisation of rents which in actual practice is bound to operate harshly against the tenants; and generally it conforms more to the wishes of the zamindars than to the wishes of the tenants.

Criticism has been directed against the Ministry on the score that assent to the Bill could not be secured by the 31st of May as stipulated by the Legislature. The Hon'ble the Chief Minister has more than once explained the reasons for this but now the Ministry expect the Bill to become law within a very short time. The Ministry, however, realised that delay in bringing this Bill into operation would involve considerable hardships to the tenants in the matter of the payment of salami. They, therefore, requested His Excellency the Governor to promulgate a special ordinance which suspended the payment of salami temporarily and, therefore, no such hardship has been caused. The Ministry claim that they have more than fully carried out the second item on their programme.

#### MITIGATION OF CERTIFICATE PROCEDURE HARSHNESS

The third item on the programme referred to the Public Demand Recovery Act which used to operate at times with considerable rigour. The Ministry have

taken, during the period that they have been in office, adequate steps either to suspend the operation of the Act or to mitigate its rigours by issuing from time to time definite executive orders. Press Notes published by the Government from time to time have already drawn the attention of the public to the steps taken in this direction.

#### RELIEF TO AGRICULTURAL DEBTORS

With regard to the fourth item of the programme, regarding relief of rural indebtedness, when the present Ministry came into office, they found an Agricultural Debtors' Act already on the Statute Book and a number of Debt Conciliation Boards in operation. The first thing that they did was to take in hand the extension of the area for the operation of this Act. The number of Boards was increased at an average rate of 150 per month and in June 1937 the decision was taken to extend the Act to the remaining districts in the plains of Bengal. The establishment of such Boards continued throughout 1937, and by the end of 1938, over 2,000 ordinary Boards and 81 special Boards had been established.

#### REORGANISATION OF CO-OPERATIVE DEPT.

In order to fulfil their obligations under the 5th item of their programme, the first step which the Ministry took was to bring the Co-operative Department and the Debt Conciliation administration under a single portfolio. When they assumed office they found things in the Co-operative Department practically in a moribund condition. There was no comprehensive policy either to reconstruct the movement or to devise ways and means for improving the economic conditions of the agriculturists who form the backbone of the movement. Government set themselves to rectify matters and the Minister in charge devoted his personal attention to the reorganisation of the Department. The Department has since gone in detail into the question of reorganising its activities. Among other things which the Department has so far done is that a Bill has been prepared with a view to amend the law relating to the Co-operative Societies. The provisions of the Bill have been drafted in a manner which will enable Government to check abuses in Co-operative societies and to extend state aid to societies by direct loans, by subsidy or by guaranteeing debentures issued by the central banks. It may be noted that under the existing law Government have no power to extend such aid to Co-operative Societies and the contemplated Bill, when passed into law, will enable them to do so and thereby effect a far-reaching improvement upon the existing state of things.

#### PRIMARY EDUCATION

Next comes the most important problem of imparting primary education. The Ministry found two alternatives before them: either to wait for an indefinite period till sufficient revenues were forthcoming so that primary education might be made free and compulsory or to put into operation the Primary Education Act which was already on the Statute Book and begin the process of the education of the children of the Province, deriving revenues for the purpose through the imposition of the primary education cess. After mature deliberation and for reasons which the Hon'ble the Chief Minister has repeatedly explained to the public in various speeches, the Ministry came to the conclusion that faced with a choice of evils as they were, it would be in the best interests of the people that they should choose and choose, immediately, the lesser of the two. They have, therefore, pursued vigorously the plan of bringing the Act into operation in district after district and now in as many as 12 districts the Act has been extended empowering the District School Boards to impose the cess for the introduction of free primary education in those areas. Provision has also been made in the next year's budget for starting training classes in selected High English Schools under the supervision of the Headmasters so that an adequate supply of trained teachers to meet the demand for teachers from the districts where the Act will be implemented can be made. For the present, primary education scheme under the Act will be most fully developed in the district of Mymensingh and three other districts where the cess will be levied in the near future. A sum of Rs. 66,700 has been provided for the purpose in the budget against a scheme involving an ultimate expenditure of Rs. 18,58,500. A lump provision of Rs. 5 lakhs has also been made for the improvement of primary education in regard to which schemes are being formulated.

It is to be borne in mind that the cess imposed under the Primary Education Act is not likely to fall as anything like a heavy burden on the poor. It has been

brought to the notice of Government that wild and exaggerated stories are being circulated in order to mislead the ignorant people that the tenants will have to pay a heavy amount in the shape of the cess. This is entirely wrong and misleading. The tenants will not have to pay a single pice more than their statutory share of the cess. A raiyat who is paying say Rs. 10 as annual rent to the landlord, will not have to pay more than nine annas per year as his share of the cess. This will be much less than what he is paying now for the education of his children or even of one child.

#### RETRENCHMENT

The 7th item of the programme related to the reduction of the cost of administration. In this connection it may be pointed out that the scope for retrenchment in this province is much smaller than any other comparable province. The previous Government faced with financial crisis consequent on the Meston Award appointed two Retrenchment Committees in course of two decades—in 1922 and in 1932—and effected considerable economies in expenditure. The rates of pay in various services were reduced by them to levels far below those prevailing in other provinces. Leave rules were deliberalised and rules relating to travelling allowance were tightened up. The Ministry on assuming office set about immediately to tackle this problem in right earnest and appointed a senior member of the Indian Civil Service to carefully re-examine all those recommendations of the Swan Committee which has been rejected or partially accepted by the late Government with a view to explore all possible avenues of retrenchment. As a result of such recommendations, reduction in expenditure to the extent of nearly two and a half lakhs has been effected.

#### RESUSCITATING RURAL WATERWAYS

The next item on the programme dealt with the resuscitation of dead and dying rivers and khals through local manual labour. Press Notes issued from time to time have given the public some idea of the work which, under the instructions of Government, the District Officers in several parts of the Province have carried out and are still carrying out in the matter of excavating the dead or dying khals with local labour, mostly voluntary.

#### LARGER IRRIGATION PROJECTS

With regard to the bigger question of the resuscitation of dead and dying rivers, Government undertook and completed last year a contour survey of Western and a part of Central Bengal. Three big schemes in these areas, namely, the Hooghly-Howrah flushing scheme, the More project and the Dakeswar scheme are already under preparation. An extension of the contour survey in Central Bengal, to spill the area of the Ganges on the east of Jalangi, will be undertaken during the current year. Recently a conference of experts was held at Writers' Buildings in order to devise ways and means for the purpose. The conference made important recommendations for the resuscitation of dead and decaying rivers of Bengal, most important of these being to hold an Inter-Provincial River Conference in order to co-ordinate the conflicting interests of different provinces and states. It has recommended the formation of a Bengal River and Drainage Board to advise Government on river training and establishment of hydrological laboratory for the study of the special problems of the Bengal Delta. A migration and resettlement scheme has also been suggested for the submerged areas.

#### PUBLIC HEALTH & RURAL SANITATION

The next item of the programme charged the Ministry with the duty of undertaking measures of public health and rural sanitation. In the budget for the year 1937-38 the rural water-supply grant was increased from Rs. 2 lakhs to Rs. 3 lakhs 50 thousand. This year the block grant for this purpose has been raised to Rs. 7 and a half lakhs and a very comprehensive programme for the solution of the rural water-supply problem has been undertaken. Government have also created a machinery for spending this grant of Rs. 7 and a half lakhs in collaboration and in consultation with the local bodies and the leading residents in the districts. Adequate provision of funds has also been made for granting loans to local authorities with a view to enabling them to tackle this problem in their own way. The Ministry propose to undertake a comprehensive survey of the whole province in order to ascertain the actual needs regarding water-supply in each district. With this object it has been decided to create a rural water-supply sub-division under the Chief Engineer, Public Health Department, Bengal.

Government have also accepted a comprehensive programme for supply of drinking water in rural areas where scarcity prevails and a scheme is being worked out.

The problem of Malaria is undoubtedly the most serious public health problem in this province. The normal quinine grant of Rs. 1,40,000 was increased by Rs. 60,000 in the budget for 1937-38 making a total of Rs. 2 lakhs. In the budget for 1938-39 a total amount of Rs. 4 lakhs has been provided for free distribution of quinine with the object *inter alia* of reaching effectively those numerous cases which do not come to the hospitals and dispensaries. A more effective and popular method of distribution is also under the consideration of the present Ministry.

#### REPEAL OF TOBACCO TAX

The 11th item of the programme enjoined upon the Ministry the repeal of the tax on tobacco and taxes on the necessities of life. The tobacco tax has been repealed. There are, practically speaking, no other taxes worth mentioning, on the necessities of life imposed by the Provincial Government.

#### RELEASE OF POLITICAL PRISONERS

As the public is well aware the Ministry have steadily pursued a policy of gradual release, consistent with public safety, of persons in detention without trial, and this process has been considerably accelerated in recent months. When the Ministry came into power there were 16 persons under restraint under Regulation III of 1818 and 2,083 under the Bengal Criminal Law Amendment Act of 1930. At the present time the numbers are 6 and 168, respectively, and further reductions are being made daily.

In connection with the terrorist convicts—

- (1) all such prisoners have been repatriated from the Andamans and brought back to Bengal.
- (2) the classification of all such prisoners has been reviewed and all Bhadralog terrorist prisoners have been re-classified where necessary in Division II.
- (3) clemency in individual cases has been exercised and 43 terrorist convicts have been prematurely released.
- (4) temporary special jails have been closed down and the prisoners have been accommodated in modern cellular accommodation.

The ban has been raised in the case of 176 associations out of 218 throughout the province upon which the former Government had imposed a ban.

The Ministry claim that no other province can show a record such as theirs in respect of clemency towards the persons in jail or under restraint for political reasons. Government's critics attempt to ignore the fact that there was hardly a single "political prisoner" in Bengal other than those who had a direct connection with the violent terrorist movement. The problem of terrorism has been a problem peculiar to Bengal, both in its extent, and the number of persons engaged in the movement, as well as in the length of time for which this canker has been present in the body politic of the province. For more than 30 years it has been the recurrent factor and nowhere else has it constituted a menace of the same magnitude. In spite of this, releases and relaxations have been on a scale unparalleled elsewhere.

### Activities of the Punjab Government 1937-38

The Punjab was the first Province to produce a majority party able and willing to shoulder the responsibility of Government under Provincial Autonomy. Eight parties, besides a few independent members fought their way into the Legislative Assembly. The largest of these was the old National Unionist Party which had been reorganised under the name of the Punjab Unionist Party on the eve of the election. It emerged from the election contest with a membership of 101 in a House of 175. The next largest party, the Congress, captured about 20 seats in the House. These were the only two parties which had addressed their appeals to voters of different religious communities, the remaining six having practically confined their attention to one community or another. Thus the Khalsa National Party and the Akali Party contested Sikh constituencies, the former capturing about one half and the latter

about one-third of them. The National Progressive Party of non-agriculturist Hindus captured about 15 Hindu constituencies, but later lost a few of them to the Congress in by-elections. The Muslim League, the Majlis-i-Ahrar and the Majlis-i-Itihad-i-Millat confined their electioneering to a few Muslim constituencies and emerged from the contest with a membership of two or three each. Thus amidst a medley of small parties and groups, the Unionist Party commanded an absolute majority in the Legislature.

After the reaction of different groups of members to the Unionist Ministry's actual economic policy had been tested, the position at the end of the first 18 months of Provincial Autonomy appeared to be that about 120 members in a total House of 175 had been consistent in accepting the Ministry's whip. These 120 members included about two fifths of the total number of Hindu members and more than one-half of the Sikh members besides the bulk of the Muslim members and all the Indian Christian, Anglo-Indian and European members in the House. From this point of view the Ministry could well claim to enjoy the confidence of religious minorities in this Province to a greater extent than any other Provincial Ministry.

During this period, the Congress Opposition was able to absorb the Akali Party. This and the gain of a few seats in by-elections at the expense of the National Progressive Party raised the strength of the Congress Party to 35. Between the 120 Ministerialists and the Congress Opposition there appeared to be about 20 members unwilling to accept the whip of either party.

The Provincial Governments in India possess certain statutory powers of restricting the liberty of individuals without putting them on legal trial. The question has often been asked: Are such powers compatible with the civil liberty of people? Before the introduction of Provincial Autonomy this question used to be answered differently by the Unionist Party and by the Congress. The Congress reply was an emphatic negative. The Unionist view was that in certain circumstances the use of such powers by the executive might be not only compatible with, but positively necessary for, the preservation of the civil liberty of society as a whole. Thus at one stage the Unionist Party in the old Punjab Legislative Council supported the passage of the Criminal Law Amendment Act which armed the executive with such powers. This was immediately after a series of terrorist crimes in the Punjab, including an attack on the life of the then Governor. At a subsequent stage, however, the Unionist party opposed—though unsuccessfully—the re-enactment of this law for a period on the plea that the actual circumstances of the province at the time indicated no necessity for the retention of such powers in the hands of the executive.

Since the introduction of Provincial Autonomy opinion in Ministerial circles in the Congress-governed provinces appears to have veered round to the Unionist point of view which regards such powers from the angle of practical necessity rather than abstract ideals. No Provincial Government has yet considered it safe to give up the powers which it inherited from its predecessors. In the Punjab the new Government, soon after taking office found itself confronted with an outburst of subversive activity. Emphasis has been laid in previous chapters on the easy readiness with which the Punjab on the whole adapted itself to the requirements of the new constitution. The process was not, however, wholly free from ugly incidents. Forces of communal fanaticism and of violence were openly or secretly set in motion by some of those who, for one reason or another, wanted to embarrass the new Government. The result was a series of eight communal riots—most of them traceable to political no less than to communal motives—in various parts of the province during the first four months of the Unionist Government's regime. These riots resulted in seven deaths.

In the circumstances the Government was naturally unable to divest itself of the special powers which the law gave it for the purpose of controlling the forces of disorder. They were, however, used most sparingly. During the first 18 months of Provincial Autonomy action was taken against 18 persons under the Punjab Criminal Law Amendment Act. In several of these cases the Government merely ordered certain outsiders, who were considered to be creating or planning trouble in the Punjab, to leave the Province. In a few other cases the movements of the persons concerned were temporarily restricted to particular areas.

At the same time existing restrictions were cancelled in all those cases in which this could be done without danger to the place or the province. On April 1,

1937, when the new Government took office, 36 persons were subject to various restrictions imposed on them by executive orders. Eight of these were in jail under Regulation 3 of 1818. The remaining 28 were subject to less stringent restrictions under the Criminal Law Amendment Act. The new Government carried out a careful examination of all these cases and has from time to time subsequently reviewed the situation with the result that restrictions were removed or relaxed as opportunity offered. Five of the eight prisoners under Regulation 8 of 1818 were released one after another. No fresh cases of imprisonment under this law occurred during the present Government's regime. Similarly, practically all of those who had been restricted under the Criminal Law Amendment Act were freed, though it was found necessary, as already mentioned, to take action against a few others under this law.

The policy of removing or relaxing restrictions was further extended to various groups of prisoners who were serving sentence imposed on them by courts of law. The cases of these prisoners were individually and carefully examined. The Government did not concede the demand that all so-called political prisoners, including those convicted of violent crimes, deserved to be released forthwith because their crimes had proceeded from "patriotic" motives. Nor, on the other hand, did it refuse to show clemency to a prisoner when it could be deservedly shown without endangering the peace and tranquillity of the Province. Each case was decided on its merits. About three months after assuming office the Government made a beginning with the Martial Law prisoners who were serving life sentences in connection with the political disturbances of 1919. All 12 of them were released. Later 22 other prisoners who had been convicted in connection with the Babar Akali disturbances or other terrorist crimes were released before the expiry of their terms of imprisonment. The claims of "non-political" prisoners who could find no champion in the Press or on the platform were not overlooked. A liberal plan was adopted of releasing old, infirm or ailing prisoners before the expiry of their sentences and by October 1, 1938, about 300 of them had been released. The figure rose to 442 by December 15.

These measures, of course, affected only a limited number of individuals. The general public was more interested in another matter to which the Ministry soon devoted their attention, the corruption and petty tyrannies of subordinate officials. A sustained effort has been made to safeguard the rights of the people against this danger. The Premier, Sir Sikandar Hyat Khan, and other Ministers have taken keen personal interest in this work. In the course of their frequent tours in the countryside they have tried to impress on members of the public and on local officials all that is implied in calling State employees "servants" of the public. In addressing the Amritsar Police on August 10 last, the Premier said:—

"I also wanted to impress upon you the fact that the constitution in the provinces has undergone a radical change. The old system has been replaced by a Government of the people. In your dealings with the public you have to keep this constantly in mind. In the changed circumstances all officers of the Government have to regard themselves as the servants of the public. If badmashes denounce you, it is a certificate of good work for you; but if good and peaceful citizens find fault with your behaviour, one will be justified in suspecting that there is something wrong with your work."

Apart from propaganda on these lines the Government issued at an early stage a circular to the effect that any complaint of corruption made by five disinterested persons against an official would be carefully investigated and, if found to be correct, would lead to proper punishment for the offender. During the first year of Provincial Autonomy punishment, mostly in the form of dismissal from service—in some cases accompanied by prosecution in the law courts—was awarded to 55 Government servants. In March, 1938, the Government also accepted the principle of the demand embodied in the following resolution which was moved by a non-official member of the Punjab Legislative Assembly, but was withdrawn after discussion in view of the sympathetic assurance given by the Government:—

"This Assembly recommends to the Government that all Government employees who have completed 25 years of service and whose retention in public service is undesirable on the ground of inefficiency or doubtful honesty should be retired compulsorily without any avoidable delay."

Later, a conference of departmental heads was held at which proposals for removing corruption from public services were discussed.

Addressing a big meeting of peasants in Lyallpur on September 4, 1938, the Premier, Sir Sikander Hyat-Khan, announced that the following new proposals were being considered by his Government with a view to stamping out corruption from the public services :—

- (i) The setting up of a separate anti-corruption section in the Secretariat under a special officer to investigate cases of corruption. This section is to serve as a central agency to which District officers and Departmental Heads may be able to refer cases of suspicion for investigation.
- (ii) The formulation of a rule similar to Article 465-A of the Civil Service Regulations which may be applicable to all grades of Government servants and enable Government to retire officers whose honesty is doubtful.
- (iii) The question of reducing or withholding the pension of a Government servant whose reputation has been unsatisfactory.
- (iv) The constitution periodically of *ad hoc* peripatetic boards which may tour the various districts of the province and make enquiries regarding the reputation of Government servants in order to report those whose reputation is unsatisfactory.

A specially interesting part of this campaign of safeguarding, in actual practice, the civil liberties of the people in the Punjab consisted of orders issued by the Government, declaring *begar* (exacting compulsory labour) an unlawful act on the part of officials and warning them against this practice. The protection given to the poorest residents of villages by this order was specially needed by members of the scheduled castes.

But the new Government has devoted attention not only to questions of civil liberty, but also to the important problem of national liberty. National defence is a subject not yet transferred to popular control, but the progress which the country has made on the road towards political freedom has encouraged public men in formulating their policies to make provisions for the time when India will be called upon to shoulder the responsibility of defending herself. The Punjab has good reason to expect to provide the bulk of the man-power of the Indian Army of the present. A narrow provincialism and, perhaps still more, a narrow communalism is apt to view this position with jealousy and suspicion and would fain deny Punjab its rightful share in the defence of the country. The Unionist Ministry which has the distinction in India of being led by a soldier in the person of the Hon'ble Major Sir Sikandar Hyat Khan has shown itself alive to this danger. The subject has also been constantly pressed on his attention by the martial classes of the province. As mentioned above, the Premier and other Ministers have toured the countryside extensively during the past 18 months. The Premier, in particular, has received numerous addresses of welcome during these tours and one of the most frequent demands contained in these addresses has been for increased opportunities of military careers for the youth of the province. The demand emanates from the agriculturist classes of all religious communities and in every Division of the province.

Shortly after assuming office the Ministry founded 45 scholarships, costing Rs. 33,000 a year, to help the sons of martial families in the Province to receive higher military education in the Indian Military Academy and the Prince of Wales Royal Indian Military College of Dehra Dun. Addressing the members of the Lyallpur District Soldiers Board on September 3, 1938, the Premier announced that, if circumstances permitted, he would like to increase expenditure on this scheme and that he had also been corresponding with the Government of India with a view to securing similar concessions from that Government for the sons of martial families in the Punjab.

Further, the Government took steps to check the campaign of propaganda which certain people were found to be carrying on in the villages of the Punjab against recruitment in the Army. The movement resulted in the Indian Army Recruitment Bill which was passed by the Central Legislature in September last, and had the support of the Punjab Government.

Historically associated with the ideal of Liberty is that of Fraternity. In this country the ideal of Fraternity in the sense of inter-communal goodwill and harmony, has a special claim on the attention of statesmen, which has been fully and frequently recognised by the Punjab Government. In the

public statement which the Premier made on behalf of his Cabinet on April 1, 1937, a strong appeal was made to the Press and the Public at large to help the Government in dispelling communal ill-will. It has already been noticed that the response to this appeal was not as universal as it might have been. Factious quarrels in certain political camps, rivalries between certain communal organisations and the ambitions of unscrupulous bidders for popular leadership were among the factors which militated directly or indirectly against the success of the appeal and produced a disastrous effect on the communal situation. Undaunted by these obstacles the Ministry continued to strive in the cause of inter-communal goodwill and harmony. A sustained effort was made to inspire confidence among religious minorities and produce among them a sense of goodwill towards the majority community. The composition of the Ministry was itself a gesture of goodwill. It was followed up by an important statement which the Premier made when the Congress sought an assurance from the Governors that they would not make use of the special powers conferred on them by the Government of India Act of 1935. Sir Sikandar Hyat-Khan declared that the demand for such an assurance was particularly unfair to minority communities in various provinces and that the Ministries should rather themselves conduct their administration so as to allow no occasion to arise for a Governor to intervene in the interests of an aggrieved minority.

Two other important instances of similar gestures on the part of the Premier to the minorities may be mentioned. One was the part which he played in securing a happy end of the controversy which arose in the Punjab over the Government of India's scheme of constructing a big abattoir near Lahore. The other was his firm opposition to a legislative proposal initiated by a Muslim member of the Punjab Legislative Assembly for the purpose of restoring the disputed site of the demolished mosque of Shahidgunj to Muslims. In the course of an important statement which he made on the subject in the Legislative Assembly on March 16, 1938, the Premier said:—"The Mussalmans of the Punjab owe a special responsibility not only to the minorities in the Punjab, but also to their own co-religionists who constitute minorities in other provinces. No far-sighted or patriotic Mussalman can in these circumstances permit his community in the Punjab to take any unreasonable step against the minorities which, if similarly applied by non-muslim majorities in other provinces against the minorities there, would jeopardise the fundamental rights and position of the Muslims there." Concluding this statement he said: "The issues before us are grave and call for the most anxious and careful consideration from all concerned. A just and satisfactory solution of the problem, honourable to all concerned, is not impossible and I would earnestly appeal to all patriotic persons, including the representatives of the Press, to help us to bring it about by creating the proper atmosphere in the province."

A more direct approach to the problem of inter-communal unity was attempted by the Premier in July, 1937, when he convened a "Unity Conference" of the leaders of different religious communities. The sub-committees of the conference examined various questions which have occasioned intercommunal strife in the past and made valuable recommendations for their solution. Owing however to adverse developments in the politico-communal situation the decision of these difficult problems has had to await a more favourable atmosphere.

Another step which the Government took to discourage inter-communal controversies was the adoption of a general policy of refusing to answer on the floor of the Legislative Assembly questions raising communal issues.

It must be admitted that those efforts in the cause of communal harmony have not yet been crowned with any large measure of success. It was unfortunately believed in certain quarters that a sharp cleavage between different communities on religious issues could most effectively embarrass the present Government. The only consoling feature of the review is that, following the series of communal riots during the first three or four months of the Unionist regime, the situation has remained more peaceful, even though it has not been entirely free from ugly communal incidents.

Under the heading of "Special Help for the Weak" may be grouped a series of important measures adopted by the new Government in the interests of (1) agriculturist debtors and (2) members of the scheduled castes.

Among measures intended to help agriculturist debtors may be mentioned the following:—

(1) *Constitution of Debt Conciliation Boards.*—The Punjab Relief of Indebtedness Act passed by the old Punjab Legislative Council contained provisions for the scaling down of debts through the agency of Debt Conciliation Boards. Five such Boards had already been constituted as an experimental measure before the present Ministry assumed office. During the first year of Provincial Autonomy their number was doubled and during the current year steps have been taken to raise the number to 29. Every district, with the exception of Simla, now has a Debt Conciliation Board, and the Jhang district has two.

(2) *Notification under section 61 of the Civil Procedure Code.*—The powers vested in the local Government by section 61 of the Civil Procedure Code were exercised for the first time by the present Ministry, and a notification was issued exempting the whole of the fodder crop of an agriculturist debtor and a certain proportion of the yield of his grain crops from attachment in execution of civil decrees.

(3) *The Punjab Alienation of Land Amendment Act.*—This law, sponsored by the new Government and passed by the Legislature, prevents a mortgagee or lessee of agricultural land from committing any act which might destroy or permanently injure the value of the land for purposes of agriculture, except when the owner agrees to the commission of such an act and this is attested by a Revenue Officer. It further provides that, when there are more orders than one from a court directing the temporary alienation of land of an agriculturist, the total period of alienation under these orders shall not exceed a maximum period of 20 years.

(4) *The Debtors' Protection Amendment Bill.*—It was found that the benefits conferred by the previously passed Debtors' Protection Act on agriculturist debtors were lost to them when a law court placed an Official Receiver in charge of their lands. The Punjab Debtors' Protection Amendment Bill was, therefore, passed to make it clear that no money decree should be executed by the appointment of a Receiver of an agriculturist's land or its produce. The Bill had not received the assent of His Excellency the Governor by October 1, 1938.

(5) *The Punjab Alienation of Land Second Amendment Bill.*—As already explained the Alienation of Land Act, which has been in force in the Punjab since 1901, prevents a member of an agriculturist tribe from alienating his land permanently in favour of a person who is not a member of such a tribe. A common form of evasion was for non-agriculturist purchasers to use the names of their agriculturist friends for the purpose of acquiring the lands of others agriculturists. In such transactions the land was nominally transferred by one agriculturist to another; but the buyer whose name appeared in the official records was only a dummy under whose cover a non-agriculturist enjoyed the actual possession of the land and its income. Inquiries were made about the extent to which transactions of this kind, known as benami transfers of land, had taken place and it was calculated that properties worth several crores of rupees had passed in this way from agriculturists to non-agriculturists. The Ministry therefore sponsored a law which declared all benami transfers of agricultural land to be null and void and entitled the original owners or their heirs and successors to recover their lands, in some cases, after paying compensation to the buyer and in other cases without paying it. This Bill, having been passed by the Legislative Assembly, was awaiting the assent of His Excellency the Governor-General at the close of the period under review.

(6) *The Punjab Restitution of Mortgaged Lands Act.*—This law is intended to help those whose lands, having been mortgaged a long time ago, have yielded more than adequate profit to the mortgagees. It provides that if a mortgage was effected before June 8, 1901, and still subsists, the mortgagor or his heir or assignee may apply for the extinction of the mortgage and the restoration of the land to him. The mortgage is to be extinguished without any compensation to the mortgagee, if the value of the benefits already enjoyed by the mortgagee has equalled or exceeded twice the amount of mortgage. If the value of the benefits enjoyed by the mortgagee be, however, still less than twice the amount of the original sum the extinction of the mortgage will be conditional on the payment of certain compensations to the mortgagee by the mortgagor. This law has already received the assent of His Excellency the Governor. It is expected to provide facilities for 306,738 mortgagors to redeem 756,131 acres of mortgaged land.

(7) *The Punjab Registration of Money-lenders Act.*—This Act is intended to check dishonest and fraudulent practices on the part of money-lenders. It provides

that a money-lender will not be helped by law courts to recover his loans unless he is registered and holds a licence to carry on a money-lender's trade. His licence may be suspended for such periods as the Collector may decide if he is found by a law court to have committed certain offences. During the period of the suspension of his licence the money-lender will be unable to sue successfully for the recovery of his loans except such loans as may be "certified" by a Commissioner. The Act is applicable to all money-lenders including those agriculturists who have taken to money-lending as a principal or subsidiary business. It has received the assent of His Excellency the Governor.

(8) *The Punjab Alienation of Land Third Amendment Act.*—This Act is intended to protect agriculturist debtors from agriculturist money-lenders. It lays down that, when an agriculturist has advanced a loan to another agriculturist, the debtor shall not alienate his land in favour of the creditor until the debt has been repaid and three years have elapsed after the repayment. If, however, the debtor and the creditor try to evade this restriction through what may be called a *benami* transfer of land to a third party, the Deputy Commissioner has been empowered to cancel the transaction and restore the land to the alienor as in the case of *benami* transfers of land under the Punjab Alienation of Land Second Amendment Bill. This law has also received the assent of His Excellency the Governor.

(9) *The Punjab Agricultural Produce Marketing Bill.*—This measure is intended to protect the growers of agricultural commodities, who bring their produce for sale in the markets, from various malpractices on the part of shopkeepers and brokers. It was referred to a Select Committee in July, 1938, but had not passed beyond the Select Committee stage by the end of the period under review.

Among measures intended to promote the uplift of members of the scheduled castes mention has already been made of a circular issued by the Ministry, warning subordinate officials against the practice of taking *begar*. By means of another circular the Ministry declared all publicly owned wells throughout the province to be open to all members of the public. This was specially intended to secure to members of the scheduled castes an important right of citizenship which they had been denied by custom.

The Ministry further adopted a general policy of nominating at least one member of the scheduled castes to every local body provided that the numerical strength of the community within the area of the local body concerned justified its claim to representation. To several Municipal Committees and District Boards, where new elections have taken place during the past 18 months, members of the scheduled castes have already been nominated as members. Instructions have also been issued to various Departments that special efforts should be made to increase the proportion of members of the scheduled castes in public services. Unfortunately those efforts are handicapped by the dearth of qualified men among these castes. The situation will, however, improve with the spread of education among them. In order to help this process special educational facilities have been offered to them. Children belonging to these castes are freely admitted to all public schools. Even private schools, which receive grants-in-aid from the Education Department, can refuse them admission only at the risk of forfeiting their grants. Primary education is given free and Secondary education at half the usual rates of fees to students of the scheduled castes. Further, about 60 scholarships are reserved for them at various stages of education and in different institutions. Two of these are tenable in the Central Training College, Lahore, and six more in Arts Colleges. Local Bodies have also been asked to provide scholarships for them in the Middle classes. In Industrial schools too various stipends, which are reserved for the poor, go to the scheduled castes.

### Activities of the Madras Government

The Congress Ministry in Madras completed one year and six months of office in December 1938. The strength of the Congress Party in the Legislature is now 162 out of a total of 215 members in the Assembly and 28 out of a total of 55 in the Council.

The first important measure that the Ministry put through the Legislature after acceptance of office was the Prohibition Act. It was followed by the

Agriculturists' Debt Relief Act, a comprehensive legislation designed to relieve the agriculturist of the unbearable load of debt. The remission of land revenue aggregating Rs. 75 lakhs and the reduction of grazing fees in Government forests by half, were brought about for the amelioration of the agriculturist.

#### CIVIL LIBERTY

The Moplah Outrages Act was repealed and the release of Moplah State prisoners ordered. All the prisoners connected with the Rampa Pithuri, the Malabar Rebellion, the S. I. Ry. strike, the Ooty Bank Raid Case, the Madras Bomb Case and the Cocanada Conspiracy Case were released. The realisation of uncollected fines imposed in respect of political offences was suspended. Securities deposited by newspapers and presses amounting to Rs. 11,000 were refunded. The ban imposed on 19 books in Telugu and Tamil and on eight films was removed. Retired Government servants were permitted to become members of or to hold office in political organisations and to contest elections to local bodies and the legislature. 182 village officers who were dismissed on account of their connection with the Non-co-operation or the Civil Disobedience Movements were restored to their old posts.

#### PROHIBITION

Prohibition was introduced in Salem district on 1st October, 1937, and extended to Chittoor and Cuddapah Districts on 1st October, 1938. The annual loss of revenue to the Government due to the enforcement of prohibition in the three districts is Rs. 42 lakhs. The reports received from the officers in charge of Prohibition work bear ample evidence of the enthusiastic co-operation of the people in the carrying out of the object of the Prohibition Act and of the improvement in their material and moral condition owing to its introduction.

The cheaper enclosure at the Guindy Race Course has been closed. The Gaming Act is being revised with a view to prevent ignorant people from being led to attend shows and night clubs where gambling is prevalent in the guise of "games of skill". The Immoral Traffic Act has been amended with a view to penalise persons including relations who make a living out of the earnings of prostitutes.

#### RELIEF OF RURAL INDEBTEDNESS

The Agriculturists Debt Relief Act came into force on the 22nd March, 1938. The object of the Act is to give relief to indebted agriculturists by scaling down their existing debts, reducing the rate of interest on their future debts to 6 and one-fourth p.c. per annum and writing off the arrears of rent due to zamindars, janmis and other landholders by the tenants. Debt conciliation boards are being set up in all the districts to assist in the scaling down of debts according to the provisions of the Act and a sum of Rs. 50 lakhs has been set apart to be given as loans to agriculturists to pay off their scaled down debts.

Land revenue remissions have been sanctioned to the extent of three quarters of a crore of rupees every year.

#### FAMINE RELIEF

Due to the failure of the monsoon in 1937 in many parts of the Bellary, Anantapur and Kurnool districts, famine relief works were started in these districts and about one lakh of workers were employed in the relief camps run by Government.

#### IRRIGATION AND ELECTRICITY

Any irrigation project was not classed by the previous Governments as productive unless the return therefrom reached 6 p.c. on the capital outlay. The present Government have reduced this percentage to 4 and some of the projects which were classified as unproductive formerly are now being re-examined with a view to sanction such of them as would prove remunerative under the new test. Steps have been taken to accelerate the building of the Tungbhadra project. Negotiations as to the sharing of the waters of the river were recently conducted with representatives of the Government of H. E. H. the Nizam and the agreement arrived at is awaiting the sanction of the respective Governments.

The supply of power from the Pykara and the Mettur hydro-electric systems has been extended to eight districts in the south. Thermal stations at Bezvada and Vizagapatam are under construction with a view to supply electric energy to the districts in the north.

#### OTHER MEASURES

A Joint Committee was constituted by both houses of the Legislature to enquire into and report on the conditions prevailing in zemindari and other proprietary areas and to suggest legislation to better the lot of the peasants. The report of the Committee has been published and is under consideration of the Government.

To improve the quality of livestock, two cattle breeding farms have been opened. The Veterinary Department has been given additional staff and there has been a marked decline in cattle mortality.

The rates of grazing fees in Government forests have been reduced by one half throughout the Presidency and the loss of revenue on this account is estimated at Rs. 3.07 lakhs per annum. The question of supplying green leaf manure at cheap rates is under consideration. The commercial possibilities of minor forest products are being examined.

#### COTTAGE INDUSTRIES

The passing of the Madras State Aid to Industries (Amendment) Act, the Madras Sale of Cloth Act, and the extension of the Khaddar (Name) Protection Act to this Province, and the substantial assistance given to the development of the Khadi industries, have helped cottage industries. In October last, sanction was accorded to the payment of grants amounting to Rs. 1,90,420 to the All-India Spinners' Association for the development of hand-spinning and Khadi. A separate sum of Rs. 1,32,000 will be utilised to help the handloom industry. Ten apprentices have been sent by Government to Wardha for receiving training in the manufacture of hand-made paper and another batch of ten to undergo training in oil pressing at Wardha.

Orders have been issued requiring Heads of Departments to give preference to Indian-made goods in the purchase of articles required for the use of Government departments. Local bodies have been permitted to contribute funds towards the establishment of an emporium and a museum for the development of various cottage and other industries in the districts.

#### LABOUR

Since the acceptance of office by the Congress, there arose as many as 77 labour disputes in the Province. The policy of Government in regard to labour disputes is to encourage "internal settlements." It has been made clear that strikes should not be resorted to, unless all other available methods of making representations had been exhausted. Government actively interfered and brought about settlement of all the strikes. As a result, workers have benefited to a considerable extent by way of increased wages and improvement in their conditions of service.

#### HARIJAN UPLIFT

A sum of Rs. 11.24 lakhs was set apart in the Budget for providing educational facilities, maintenance of hostels and boarding houses for scholars, drinking water supply and other amenities to the members of the scheduled classes. Provision for advancing loans to Harijans has been considerably increased. The poor pupils of the scheduled classes have been exempted from the payment of fees in all arts colleges. 57 scheduled class candidates selected by the Public Service Commission were appointed to the gazetted and subordinate services of the Government since the Congress took up office. District Advisory Boards and a Provincial Advisory Board have been constituted to advise the Collectors and the Commissioner of Labour respectively on all matters relating to the uplift of Harijans. In August last, the Civil Disabilities Removal Bill moved by Mr. M. C. Rajah was passed into law with the support of the Government. The Malabar Temple Entry Act has also been passed by both houses of legislature.

#### EDUCATIONAL REFORM

Steps are being taken to open a training school to prepare teachers for the purpose of putting into operation the Wardha scheme of education. For this

purpose, three selected officers of the Education Department have been deputed to undergo training in the Vidya Mandir Training School at Wardha. Instructions have been issued by which, in the uni-lingual areas, the regional language will be the medium of instruction in all high schools upto and including the sixth form by July, 1940. Hindusthani is taught to all pupils in the I, II and III Forms of 125 secondary schools in the province. More schools may be brought into this scheme in the course of the present year.

#### PUBLIC HEALTH

To provide greater scope to medical practitioners for participating in public service, the system of appointing honorary medical officers in Government medical institutions has been expanded. The standard of training for nurses and compounders has been enhanced. The Public Health Bill which is being discussed by the Legislature is the first of its kind to be brought forward by a provincial Government. The Bill contains provisions for securing a sufficient supply of pure drinking water, for the maintenance of proper drainage and the prevention of nuisances and infectious diseases.

The opening of 42 new subsidised rural dispensaries and the appointment of 160 additional mid-wives in existing rural dispensaries were sanctioned during the year. The conditions of employment of medical practitioners in charge of subsidised rural dispensaries have been improved.

#### VILLAGE UPLIFT

All bifurcated district boards have been amalgamated. Out of 24 district boards, the presidents of 22 district boards are Congressmen. Nominations to local bodies have been abolished and the electoral roll of the Legislative Assembly has been adopted for elections to local bodies also, thereby considerably widening the franchise of the local bodies.

A separate fund has been constituted to facilitate the execution of a comprehensive scheme spread over a period of ten years to ensure the supply of pure drinking water to every village. The fund has been started with an initial contribution of Rs. 15 lakhs by Government.

A seven years programme of road development has been drawn up by Government, costing Rs. 118.61 lakhs. To avoid waste and to ensure uniformity of policy, District Boards have been asked to submit a five-year plan regarding improvements to their village roads.

Government have arranged for the supply of 250 radio receiver sets to selected villages in all districts.

#### PRISON REFORM

A comprehensive scheme of jail delivery was put through last year. The cases of prisoners who had undergone more than half the period of their sentences or five years of imprisonment were examined and 2,100 of them have been released. The remission system which was not previously applicable to prisoners with sentences less than six months, has been extended to prisoners, sentenced to rigorous imprisonment for three months and above and also to such prisoners sentenced to simple imprisonment for similar terms, as elect to work. Oil pressing by human labour has been abolished as a jail task. Butter milk is supplied to all prisoners since August, 1937. Fuller's earth has been ordered to be supplied to prisoners to enable them to wash their clothes. Radio sets have been installed in some of the jails. Provision has been made for the supply of drinking water to prisoners for use at night. Orders have been passed that "A" and "B" class prisoners who are not literate in English shall be supplied at their cost with certain newspapers in Indian languages. The employment of women warders to guard and escort women prisoners admitted to jails and sub-jails has been sanctioned. Facilities are now given to Muslim prisoners to say prayers four times a day. In each district, two members of the Legislature have been appointed as non-official visitors to jails.

Vigorous economy is being effected in all the departments of Government. The salaries of new entrants and promoters of the provincial and subordinate services were subjected to a graded cut ranging from 5 to 3) per cent. The abolition of the summer move of Government to the hills has resulted in a saving of Rs. 50,000 per annum. Reduction in the travelling allowances of Ministers, restriction of unnecessary transfer of officers and the abolition of many superfluous posts are

some of the other measures of economy adopted by this Government. The provisions in the Budget for 1938-39 exceed those in the year 1936-37 by Rs. 5 and a half lakhs under education, by Rs. 5 lakhs under medical relief, by Rs. 20 lakhs under Public Health and Rural Water Supply, by Rs. 4 lakhs under Agriculture, Veterinary and Co-operative Credit and by Rs. 4 and a half lakhs under Industries.

It has been the earnest endeavour of the Ministry to develop in the permanent services a missionary spirit to work for the people. Close touch has been established between the members of the Legislature and the gazetted officers in the various districts by the holding of district conferences at which local officials and legislators meet and discuss problems and formulate programmes of rural welfare and local administration.

## Activities of the Bombay Government

The Congress Ministry in Bombay completed its 18 months of office on 19th January, 1939. They accepted office on July 19, 1937, when their Party strength in the Lower House was 86 out of a total of 175 and in the Upper House, 13 out of 30. To-day their Party strength in the Lower House is 89 while in the Upper House it is 14.

On taking office, the Ministry took executive action with a view to ameliorate the lot of the agriculturists. They ordered the abolition of grazing fees at a cost to Government of 6 and a half lakhs of rupees annually. The remission of land revenue given that year amounted to 16 lakhs, while a provision of 10 lakhs was made for village water supply during the year. Rs. 1,50,000 had been allotted for encouraging cottage industries while Rs. 40,000 were specially provided for the advancement of education among the Harijans. This was apart from a provision of Rs. 10,000 for physical culture and Rs. 10,000 for adult education.

A provision of Rs. 10 lakhs for the improvement of village water supply has been distributed among the Revenue divisions according to needs.

Special instructions have been issued to secure the free enjoyment of public wells and tanks by the Harijans on the same terms as persons belonging to other communities.

The concession regarding the private manufacture and collection of salt granted under the Delhi Pact has been restored by the Government of India at the instance of the Bombay Government to those areas where, on account of abuse, it had been cancelled.

## CIVIL LIBERTY

One of the first tasks of the Congress Government was to revise or rescind numerous orders issued by the former Governments under the emergency and other laws in the course of their struggle with the Congress. Orders regarding deposit of securities by newspapers and printing presses were cancelled, resulting in the refund of securities amounting to Rs. 23,000, and the withdrawal of notices demanding securities of about Rs. 64,000. Government lifted the ban on 232 associations, including those reported to have communistic tendencies, declared unlawful under the Criminal Law Amendment Act. The ban on certain types of literature and many forfeited publications was removed. Restrictions imposed on 26 films connected with Mahatma Gandhi's activities were cancelled, as also the ban on the film "Pandit Jawaharlal's Message". Restrictions placed on certain newspapers with regard to receiving Government advertisements were removed. Never did the press and platform enjoy so much freedom as since the Congress took office.

In only one solitary instance has it been found necessary to demand security under the Indian Press Emergency Powers Act from a Bombay paper, and this was for scurrilous writings on communal affairs. In this connection it may be stated that within a few days after taking office, the Ministry issued a severe warning to communalists who were plainly told that Government would take every step to prevent the dissemination of communal hatred and of ideas involving violence. The effect of this warning was most noticeable, and the tone of certain sections of the press definitely improved.

**BANS REMOVED : LAWS REPEALED**

Movable and immovable properties (still in the possession, and the sale proceeds if sold) forfeited by the Government under Ordinances and Criminal Law Amendment Act were ordered to be returned to their original owners or their heirs. A few days after the Ministry's taking office there was not a single political prisoner, convicted before the present Ministry came into power, left in the Provincial jails nor was a single order issued under the Emergency Laws left unrescinded. The Bombay Special (Emergency) Powers Act, 1932, was repealed.

Orders were issued for the restoration of arms licenses which were cancelled or not renewed for participation in the Civil Disobedience Movement and for the return of forfeited arms. Orders were also issued that participation in the Civil Disobedience Movement or other Congress activities should not be regarded as disqualification for service as kulkarni, patil or inferior village servants and those village servants who lost their posts owing to such participation should be re-appointed at the first opportunity.

**FORFEITED LANDS BILL**

Both the chambers of Legislaturo passed a Bill authorising the Government to repurchase the lands confiscated during the Civil Disobedience Movement and return the same to the original owners or their heirs without occupancy charges.

The policy of releasing communal riot prisoners who had undergone a considerable term of imprisonment was tried with success.

Special instructions were issued to Government officers impressing upon them the need for closer contact between themselves and the public. The necessity for Government officers to treat members of the public approaching them on business with courtesy and promptitude was strongly emphasised by the Ministry in a circular letter.

**REMISSIONS AND REVISIONS**

Government issued orders a few months after taking office that authorised arrears of revenue outstanding on July 31, 1936, should be remitted. Authorised arrears consist of land revenue which is not collected in the year and which falls due owing to poor crops.

Government have framed a programme of revision of land revenue system and other measures affecting the rural economy and will shortly introduce as a first instalment a Bill to govern the settlement of land revenue and provide security for tenants and another Bill to provide for the conciliation of debts. The Tenancy Bill has been introduced. Government have passed an emergency measure to protect the interests of the small holders in the Province. This measure gives a sort of a moratorium to the small agriculturist for a period of one year up to April 1, 1939.

Executive orders were issued with a view to restrict as much as possible the eviction of land-holders for failure to pay Government dues and sums recoverable as land revenue arrears.

**EDUCATION**

In the matter of education, the policy of the Ministry had been to evolve a truly national system of education and with this end in view, schemes are being devised for reform in every branch of the educational system of this Province. The Primary Education Act, 1923 has been overhauled through a Bill with a view to remedy some of the glaring defects in the machinery of primary education. The new Act makes better provision for the management and control of primary schools. Government decided to give special encouragement to persons and associations to start voluntary schools in as many villages as possible. Local Boards are also being encouraged to start schools in villages with a population of 1,003 and over where there are no schools at present. With a view to make physical education compulsory for all children, a Board of Physical Education has been constituted to advise Government on all matters pertaining to the question.

A Training Institute for Physical Education which will train 100 graduate teachers annually has been recently started at Kandivli.

**VOCATIONAL TRAINING**

Government propose shortly to appoint a Board of Vocational Training to advise Government as to the best method of implementing the various recommendations

made by the Vocational Training committee. A Special Officer has been appointed to exercise the work in connection with the initiation and development as an experimental measure of the Wardha Scheme.

Government have appointed a Board of Adult Education in pursuance of the recommendations of the Adult Education Committee to advise and push on a three-year programme of the gradual removal of adult illiteracy in this Province.

Special attention is being paid to the spread of education amongst Muhammadans and Backward Classes including the Harijans.

Grants for the education of the Backward Classes as a whole including Harijans, amounted to Rs. 66,000 during the pre-Congress period. During this year it will amount to Rs. 1,16,000. Over 60 per cent. of those grants will actually go for the benefit of Harijan education. An additional provision of Rs. 50,000 has been made during the current year for the education of Intermediate Classes and Muhammadans, Rs. 16,560 of which will go for the education of Muhammadan girls alone.

In pursuance of their policy of relieving unemployment among the educated classes Government have started an apprentice scheme under which boys who have studied up to the matriculation are being admitted to as apprentices in textile mills and other industrial concerns in Bombay and Ahmedabad, arrangements for their theoretical training being made at Victoria Jubilee Technical Institute, Bombay, and the R. C. Technical Institute, Ahmedabad.

Attempts are being made to introduce the study of Hindustani in primary and secondary schools and Government propose to assist associations and bodies engaged in promoting the spread of the study of Hindustani in the Province.

#### PROHIBITION SCHEME

In pursuance of their prohibition policy Government introduced prohibition policy in three rural areas in the Province. Ahmedabad city and cantonment and 27 villages around Ahmedabad and its suburbs have been declared to be dry areas where the retail sale to the public of country liquor, toddy and foreign liquor including spirits, wines and beer have been stopped.

Government have ordered all excise shops in the town and Island of Bombay to be closed on the monthly pay day. Apart from this Government have closed down since April 1938, 205 country spirit shops, 507 toddy shops and booths, 60 hemp drug shops, 72 opium shops and 11 liquor shops at a sacrifice of revenue of nearly 5 lakhs. Rs. 40,000 have been sanctioned for prohibition propaganda during the year.

#### MEDICAL RELIEF

Considerable importance is being attached to the question of medical relief to the population in the rural areas. Government have sanctioned two important schemes in this connection. The first one is subsidised medical practitioners in the villages. Recently Government sanctioned 161 centres in different parts of the Province. The subsidy will be given to Allopathic, Ayurvedic and Unani medical practitioners who will undertake to work in the rural area.

The second scheme provides for the appointment of four additional qualified nurses or midwives in each of the 19 districts of this Province, excepting the Bombay Suburban District. The nurses and midwives employed under the scheme may either be attached to the District Local Board dispensaries, or allowed to settle and work in a group of villages like the subsidised medical practitioners.

#### LABOUR

In pursuance of their labour policy, Government appointed the Bombay Textile Labour Inquiry Committee. As a result of its interim recommendations, the textile workers in the Province are reported to have benefited to the extent of nearly a crore of rupees annually. The detailed inquiry by the Committee is now proceeding and its report is expected to be ready by the middle of 1939.

The hours and conditions of work in non-industrial concerns will form the subject of a Bill to be shortly introduced in the Legislature.

An important measure for the peaceful and amicable settlement of industrial disputes has been passed by both the Chambers of the Bombay Legislature. Its provisions make it compulsory for the employer as well as the employees to resort

to methods of conciliation and arbitration before they resort to either a strike or a lock-out.

Government have provided one lakh of rupees for labour welfare work during the year in industrial centres such as Bombay, Ahmedabad and Sholapur.

#### POLICE

The Police have been specially instructed to perform their duties in a spirit of service to the public and to keep the ring clear for legitimate freedom of speech and action. They have been told not to cause annoyance to any one when collecting information regarding political activities.

The re-organisation of certain sections of the Police Force is under the consideration of Government. Government are examining the question whether the conditions of service affecting Europeans and Indians in the subordinate ranks of the Bombay City Police be modified so as to eliminate the difference between sergeants and sub-inspectors.

Government have introduced several reforms with a view to improve the lot of prisoners in Provincial jails and are considering an extensive re-organisation of the jail system.

The policy regarding the criminal tribes in the Province will be revised and Government are awaiting the report of the committee which went into the question.

#### LOCAL SELF-GOVERNMENT

Government through legislative measures have introduced radical changes in the constitution of local bodies, and have sought to liberalise their administration. By various legislative measures they have abolished nominations to local bodies and have introduced joint electorates with reservation of seats for certain minorities, besides widening the franchise. These bills provide for an optional clause which gives the liberty to the Muhammadans in a constituency to decide in favour of a joint electorate. The introduction of the Panohayat system in the villages is contemplated and a bill, having passed through the first reading, is being considered by a select committee.

By another measure Government have decided to introduce adult franchise for elections to the Bombay Municipal Corporation from 1942 onwards. This measure abolishes nominations, and extend the terms of the Corporation from 3 to 4 years.

#### OTHER MEASURES

The Bombay Medical Practitioners Bill is intended to provide for the registration of such indigenous medical practitioners as have had a full scientific training in the Ayurvedic and Unani systems of medicine and to protect the public from the activities of uneducated and half-educated quacks of all systems of medicine.

Government have already introduced a bill to regulate and control the money-lending business in the Province of Bombay. The measure is at present being considered by a select committee.

A measure seeking to remove the disabilities of Harijans as regards temple entry has been passed. This is an enabling Act which removes all difficulties in the way of those trustees of public temples who are convinced of the justice of the claim of Harijans to make use of Hindu public temples and who desire to open the temples under their control to Harijans.

Government have notified that hotel keepers will not be issued licenses in future, if they refuse admission to Harijans and that the current licenses are liable to be cancelled, if it is brought to the notice of Government that they refuse admittance to Harijans.

Another significant measure—the first of its kind in the country—is the Bombay Probation of Offenders Act which seeks to enlarge the provisions of the Criminal Procedure Code, for the release on probation of offenders and to provide particularly for the supervision of certain offenders by a Probation Officer named by the Court.

Government have at present on hand a scheme for supplying cheap electricity to the rural area.

A scheme of co-operative marketing forms part of a measure for improving the economic conditions of the farmers in the Province and is under the consideration of Government.

## Activities of the U. P. Government

The United Provinces of Agra and Oudh came under the Congress rule along with five other provinces, namely, Bombay, Madras, C. P., Bihar and Orissa, in the month of July, 1937. And during these nineteen months of their office the Congress Government have taken various measures to improve the lot of the people and prepare them for the coming fight for Purna Swaraj, consistently with the declared policy of the Congress. Notwithstanding the limitations imposed on the Ministers by the constitution, theirs has been a record of continual progress in all departments of national life as has never been witnessed before. They have changed the outlook of both people and Government officials. The former now look upon the Government as their own which is run in their interest. The latter now feel that they are the servants of the people and not their masters. The Police which under the former regime were a terror to the people, are now their helpmates ever ready to help them in the solution of their difficulties. The National Flag is no longer a taboo. In fact, it is now being hoisted over all public buildings in the Province.

The first thing which the present Ministry did on assuming the reins of Government was to recognise the principle of the freedom of press and in pursuance of the policy of impartiality in the matter, they abolished the existing discrimination against the press for its political opinions. Since then they have been showing tolerance in circumstances which might be considered to call for strict action against those who have not respected the obligations which the liberty of the press implies. Not only has the Press Act been not applied to any single case so far, but no action has been taken against any paper under Section 124-A.

Since the last session of the Congress the Government have removed ban from a good number of books of political nature. The ban has also been lifted from the Prem Mahavidyalaya of Brindaban which was declared to be an unlawful association in 1932. The property of the Vidyalaya which was founded by Raja Mahendra Pratap has now been restored to a board of trustees who have been appointed to administer the institution. Government have issued orders for the refund of the funds of the Congress organisations of the Province which were forfeited during the last Civil Disobedience Movement. The question of restoring fines imposed on Congress workers in the course of judicial proceedings during that movement is also under the consideration of the Government. The results of all these measures have been the intensification of Congress activities in the Province whose contribution to the struggle for freedom conducted by the Congress has been very considerable in the past.

## RURAL RECONSTRUCTION

The real India lives in villages. So, if the independence of the country is to be achieved our villages are to be improved and the teeming millions inhabiting them are to be uplifted so that they might be able to contribute their due share to the struggle for freedom when called upon to do so. So, immediately on assumption of office, the Government applied themselves to the all important task of rural reconstruction. For rebuilding the social, cultural and economic life of rural areas, Government have selected for intensive work about 20 centres in each district, each centre comprising 20-30 villages and placed in charge of an organiser who is to act as the friend, guide and philosopher of the inhabitants of his centre. He is to awaken and arouse the people from the present inertia, to convince them that they can improve their lot by their own efforts and galvanise them into action. The organiser is expected to complete his task in three or four years. The work of the organisers in a district is controlled by the District Association which consists of public spirited rural development workers of the locality. The association has a small executive committee. Funds have been allotted to these associations which they are to spend in villages selected for rural development in accordance with the direction given by Government. The various nation-building departments have been so reorganised as to enable them to discharge their responsibilities and functions adequately in the villages selected for rural development.

In order to effect economy in the cost of administration and spend the amount thus saved for national building purposes Government have decided to reduce to the scales of pay for provincial Specialist and Subordinate services and issued a general warning on the 1st July, 1938 that all new entrants to Government services from that date would draw the reduced rates of pay. Reduced scales have already been

prescribed in the case of gazetted services and considerable progress has been made with the work of revising the scales for non-gazetted services.

#### ECONOMY MEASURES

In order to accelerate the realisation of financial advantage from new scales of pay as well as to relieve to some extent unemployment amongst educated young men, the age of compulsory retirement for ministerial government servants has been lowered from 60 years to 55 years.

The rates of travelling allowance have been reduced by the present Government by about 10 per cent on an average in November 1937 and as a further step in that direction the basis of classification of members of the Provincial services for the purposes of travelling allowance has since been changed. Apart from departmental action, an Economy Committee consisting of some members of the Assembly is at work exploring the possibilities of economy and retrenchment in the whole field of provincial administration. A number of economies have already been effected as a result of the preliminary recommendations of this Committee.

#### ANTI-CORRUPTION DRIVE

With a view to checking corruption in services, the Government have set up an Anti-Corruption department which is the first of its kind in any Province. The duties of the department are :—

(a) Examination of complaints received by Government in the various departments concerning bribery and corruption and recommendation regarding action to be taken in respect of them ;

(b) Making inquiry into the conduct of public servants who are on good grounds suspected of being corrupt which Government may order.

#### OTHER MEASURES

In November last a press note was issued by Government regarding free and unfettered use by members of scheduled castes as well as all other communities of all public property such as public highways, public wells, public parks and public buildings, which may be open to the public.

The tenancy laws in the United Provinces are unjust and very much harsh in their operation. It is therefore, no wonder that the province should have been the scene of frequent agrarian troubles during the last decade. The Government in order to make an equitable adjustment of the relations between the ryot and the zemindar set up a tenancy and Land Revenue Committee which concluded its deliberations in April last. On the basis of the suggestions made by it Government formulated certain proposals for tenancy and land revenue reform. The main proposals regarding tenancy reform were incorporated in the United Provinces Tenancy Bill which was introduced in the Provincial Legislative Assembly on 20th April, 1938 and is now being considered by it along with the report of the Select Committee. To implement Government's proposals regarding land revenue and other matters such as the improvement of village roads, the acquisition of land for extension of village sites to enable tenants to build or extend houses, the extension of pasture land, fodder, grass and fuel reserves, reclamation of waste and fallow land, prevention of fragmentation, consolidation of holdings, etc., three or four bills are in the course of preparation.

#### RURAL INDEBTEDNESS

The Expert Committee on rural indebtedness which was appointed to examine proposals for relieving rural indebtedness and for amending the existing Debt Acts has submitted its report and it is under the consideration of Government. As soon as Government have come to a final decision in the matter the requisite Bills will be prepared for introduction in the Provincial legislature. In the meantime, however, Government have introduced a Bill to effect certain amendments to the United Provinces Encumbered Estates Act, 1934, which experience of the working of the Act has shown to be necessary.

With effect from 1st April 1938, the Government accepted the policy of adopting prohibition gradually throughout the province which till the full goal of prohibition is reached, is to be accompanied with such measures as are conducive to a general reduction in the consumption of intoxicants. In pursuance of this policy they have taken the following steps :—

(i) Total prohibition has been introduced in the districts of Etah and Mainpuri with effect from 1st April, 1938.

(ii) The number of excise shops in the remainder of the province have been reduced by about 25 per cent.

(iii) The retail sale price for each kind of intoxicant has been fixed at a level substantially higher than that ruling at the time.

(iv) The majority of shops in the districts of Jaunpur, Bijnor, Allahabad and Lucknow have been taken up for direct management by the Excise Department through its own paid agency, and at the State-managed shops there is to be no consumption of the premises.

(v) The respective conditions of the licenses for little vend such as those relating to the hours within which the sale is permitted the maximum quantities to be sold to individuals etc., have been rigidly enforced.

(vi) Temperance propaganda has been organised throughout the province and in particular in the two districts where prohibition has been introduced.

As a result of these steps the consumption of the various excisable intoxicants is reported to have greatly declined. The rate of the fall of consumption of different intoxicant varies; it is most marked in the case of country liquor, the consumption of which in some places has gone down by more than 40-50 per cent. Although it is true to some extent that these stringent measures have increased illicit supplies of intoxicants, yet there is no doubt about the fact that temperance has made very considerable headway; addicts are consuming less and those who are not addicted are gradually giving up the use of intoxicants. The anticipated loss in revenue is expected to be more than 20 lakhs.

The fundamental basis of the entire organization of rural development activities is the Better Living Society which is being organized in each village. The object of the Society is to promote the moral and economic interests of its members and more particularly to inculcate habits of saving and thrift, to prevent extravagance, to avoid frivolous and unnecessary litigation and to settle disputes locally, to take steps for better agriculture, to improve the breed and the condition of the cattle, to develop the use of improved agricultural implements, to improve cottage industries, to make arrangements for education, to encourage games and recreation, to inculcate cleanliness and sanitation, etc. The Co-operative Department is giving such assistance and is needed to the village organizations in setting up these societies.

#### COTTAGE INDUSTRY

In the industrial field the main effort of the present Government has been to develop cottage industries. A detailed scheme costing Rs. 2,00,000 for the development of industries in village areas has been generally approved by the Provincial Rural Development Board. Eight surveyors have been appointed and surveys are in progress in respect of the following industries with a view to obtaining adequate information and data on which to base further action :

Agriculture and hosiery.

Tat patties, ropes, ban and mats.

Toys and ornamental pottery.

Glass and iron articles made by villages.

Village leather working and tanning, baskets, cane furniture, chicks.

Ghee, oils and soaps.

Village carpentry.

In the meantime, however, certain other industries have already been taken up for development and considerable progress has been made. The problem is twofold, viz. first to improve the quality of articles made and secondly to secure a market to them. Arrangements have also been made for the training of instructors of rural industries and aid is being given to two polytechnic institutions in the Fyzabad and Unao Districts for the training of 150 students who become instructors; the industries in which such training is being given at spinning, weaving, dyeing and printing, carpentry, tanning, leather working, hand-made paper, basket-making and smithy. In addition for certain industries, where master craftsmen have been available, they have been appointed as instructors in what are called tutorial classes; these 'ustads' train the village artisans in improved method and technique; after completing the training of the artisans in one place the instructor goes to another village and trains the artisans

there. Such classes are in operation as regards cotton and silk weaving, wool dyeing and printing cotton and silk dyeing and printing, carpentry, tanning, hand-made paper, basket-making.

#### LABOUR WELFARE

Labour welfare work has also made progress and there are now 5 such centres in Cawnpore and one in Lucknow. The object is to wean the workmen away from drink and drugs. Each centre has a dispensary, a reading room and arrangements are made for games and recreation, including cinema shows, radio, pictures, etc. baby shows are held once a month and free milk supplied to workers' children who are certified to be in need of the same.

The house occupied by factory workers at Cawnpore are insanitary and overcrowded. Arrangements have been made for the construction of a certain number of workmen's quarters which can be let out to them at reasonable rents. Inquiries were made to see if they would take those houses on the hire-purchase system but the response was meagre.

A committee has been appointed to examine the organisation and system of management of Government presses particularly from the point of view of effecting economies by putting them on a commercial basis while securing to the staff reasonable conditions of service as regards payment, hour of work and holidays : four temporary investigators have been appointed to ascertain the cost of living of press-workers at Allahabad. The committee is expected to submit its report shortly.

#### EDUCATION

In March 1938 the Government of the United Provinces appointed a Committee to examine and report on the primary and secondary stages of education. The terms of reference of the Committee included among others (a) the examination of the organization, control and curricula of the present primary and middle stage of education up to the end of Class V and to make recommendations of Government for re-organization and re-adjustment (b) surveying the extent and contents of secondary and pre-University courses including the possibility of the transfer of Class X to the University and the utilizing of Class XI for preparation for specific courses, and (c) making proposals regarding the control and administration of secondary education. The Committee has almost finished its labour and its report is expected to be published shortly.

#### BASIC TRAINING COLLEGE

In connexion with the re-organization of education the Government has started with effect from August, 1938 a new Basic Training College at Allahabad to train graduates (men) in the new methods of education centering all instruction round one or two basic crafts. After successful completion their training (which will be for period of eight months) the pupil teachers will be awarded by the Education Department a diploma equal in status to that of L. T.

#### WOMEN'S TRAINING CLASS

Further, with a view to recruit greater number of women teachers and to employ at least two women teachers in each new Basic School, a training class has been started by Government with effect from September 1938 at the Theosophical National School for Women, Benares under the supervision of Mr. B. Sanjiva Rao I. E. S., for a period of about eight months for training under-graduate women. After successful completion of their training these girls will be awarded a diploma equal in status to that of C. T. and will as far as possible be employed to train women teachers required for Basis Schools.

#### UNIVERSITY REORGANISATION

In May, 1938, a committee was appointed to enquire into the working of the Provincial Universities (Allahabad, Lucknow and Agra) and to recommend measures of improvement. The Committee has held several sittings and has collected some materials which will be considered by the Committee at its next sitting.

#### ADULT SCHOOLS

A provision of Rs. 10 lakhs has been made for educational scheme. With this money the Educational Department has launched an intensive campaign

launched an intensive campaign throughout the Province against illiteracy and had created a special section under a special officer Rai Sahib Pandit Sri Narain Chaturvedi, known as the Education Expansion Officer, 960 adult schools are being started in 48 districts of the Province. With a view to encouraging private agency and voluntary workers to join the campaign against illiteracy Government have decided to give a small bonus to anyone for each illiterate person made literate. In order to attract good workers for the campaign seven rewards of Rs. 50, Rs. 40, Rs. 30, Rs. 20 and Rs. 15 will be given to the best worker in each district.

Seven hundred and sixty-eight circulating libraries are being established in 48 districts of the Province. These libraries have been assigned a definite circle of at least 5 to 10 miles radius.

#### DEPRESSED CLASS EDUCATION

An allotment of an additional recurring grant of Rs. 50,000 has been sanctioned for expenditure on the expansion of education of the depressed class. Government have also sanctioned a recurring grant of Rs. 5000 and a non-recurring grant of Rs. 5,000 for the maintenance of the Harijan Ashram at Allahabad of which Munshi Ishwar Saran is the president. Government have given a further impetus to the admission of more scheduled caste candidates to board's training schools for vernacular teachers by laying down that each of the 48 districts of the United Provinces should annually send up at least 3 such candidates for training. The scheduled caste candidates reading in all sorts of schools have been exempted wherever possible from payment of fees.

Government have decided that so far as possible the Public Service Commission will for some years to come select annually at least one scheduled caste candidate for appointment as deputy inspector, one as trained graduate teacher, two as sub-deputy inspectors and two as under-graduate teachers.

The constitution of the United Provinces Depressed Class Education Committee has been revised and enlarged by putting in more members belonging to the scheduled castes including those of the United Provinces Legislative Assembly. The scheme of providing free text-books and writing materials to the scheduled caste students reading in vernacular schools of municipal boards which have not introduced compulsory education for boys in their wards has been given effect to at an annual cost of Rs. 12,257.

#### FEMALE EDUCATION

On account of the introduction of compulsory primary education for girls in the urban areas, Government amended in July, 1938, the model regulations framed by Government under section 19 of the United Provinces Primary Education Act for the guidance of municipal boards to make them applicable in the case of girls also.

With a view to encourage girls to join boys' primary schools Government have approved an expenditure of Rs. 54,000 recurring for the appointment by Districts Boards of 150 trained women teachers in primary schools for boys.

Ten additional stipends of the value of Rs. 15 per mensem each for Government Normal Schools for Girls, Meerut and Budann, 5 additional stipends of the same value for each of the Government Normal Schools for Girls, Allahabad and Lucknow and 5 additional stipends of the value of Rs. 20 each for English Teachers Certificate class at Government High School for Girls, Baroilly, have been sanctioned.

A committee has been appointed to examine the working of the Hindustani Academy.

Corporal punishment is no longer permitted in educational institutions.

The circulars regarding the participation in political activities by teachers and students issued in connexion with the Civil Disobedience Movement during 1930-31 have been cancelled.

The bar against the teachers of district and municipal boards whose services were dispensed with because of their participation in Congress activities during Civil Disobedience Movement has been removed and the Boards are at liberty to employ them.

Confidential circulars of 1930 and 1936 regarding the banning of certain newspapers for use in Educational Institutions have been cancelled.

A committee has been appointed to consider the question of introduction of military training in higher classes of schools and colleges and making physical education compulsory in all classes.

The teachers under district and municipal boards may now become primary members of the Congress or other similar organizations, but they may not be members of the executive, local, district, provincial or all-India organizations of any such body.

The degrees of Kashi Vidyapith and Jamiat-ul-Millia of Delhi have been recognized as equivalent to the B. A. degree of the Universities for purposes of employment in Government service.

The above review of the activities of the Congress Government of U. P. during the short tenure of their office, though not comprehensive, is sufficient to convince the most casual observer of the fact that the Province has awakened to a new life under the Congress regime.

### Activities of the Orissa Government

Orissa came into picture as one of the eleven Governors' Provinces in April, 1936, as a result of the Government of India (Constitution of Orissa) Order, 1936. The Province is provided with a single House of Legislature, called the Legislative Assembly, consisting of 60 members, 56 elected and 4 nominated.

It was the first Province to hold elections under the Government of India Act of 1935. In the elections Congress secured 35 seats. But later two more members joined the Congress Party. Its present strength is, therefore, 37.

Sri Biswanath Das, Leader of the Congress Party, formed the present Cabinet on July 18, 1937, with himself as Chief Minister, in charge of Home and Finance. His other two colleagues are the Hon'ble Sri Nityananda Kanungo, B.A., B.L. (Revenue, Public Works and Development), and the Hon'ble Sri Bodhrum Dube, M.A., B.L., (Education, Law and Commerce and Local Self-Government).

The Orissa Legislative Assembly met soon after the assumption of office by the Congress Ministry on the 28th July, 1937, and unanimously elected Sri Mukunda Prasad Das and Sri Nandakishore Das, M.A., B.L. as Speaker and Deputy Speaker respectively.

#### PAY AND ALLOWANCES

The Hon'ble Chief Minister and his colleagues agreed to draw a salary of Rs. 500 a month each while the Speaker accepted only Rs 400. Similarly a sum of Rs. 150 a month was fixed as salary of the Deputy Speaker and each of the Parliamentary Secretaries. The pay includes income-tax and no one, including the Ministers, draws any allowances for his residence or car. No Minister is provided with a Government car. Parliamentary Secretaries as such do not draw any travelling allowance. Ministers in the course of their official tours draw third class railway fares for short journeys within the Province and second class fares for long tours outside the Province.

Members of Legislative Councils under the Montague-Chelmsford Reform were allowed 1 and three-fourth first class railway fare, 8 annas per mile for road journeys and a daily allowance of Rs. 10. Section 72 of the Government of India Act of 1935 lays down that the Members of the Legislative Assembly shall be paid a salary to be fixed by the Assembly. The Assembly is now sitting for longer periods than before. It was, therefore, found necessary to fix a small salary and reduce travelling allowances to effect economy. Accordingly an Act fixing the salary and allowances of Members of the Orissa Legislative Assembly was passed in 1938, which provided a salary of Rs. 75 a month for each Member to enable them to work in their constituencies. Besides, they are allowed to draw a daily allowance of Rs. 2-8-0 during the sitting of the Legislative Assembly, double inter class fares and 4 annas a mile for road journey where there is no public conveyance.

The first task of the Ministry was to revise or rescind the orders issued by former Governments under the emergency and other laws which tended to check the free growth of political institutions in the country. Orders previously issued

regarding security deposits for newspapers and printing presses were cancelled. There was only one political prisoner who was immediately released, and two political prosecutions under section 124-A, I. P. C. were withdrawn. The ban on certain Oriya books and orders of forfeiture on books, booklets and pamphlets were also withdrawn. Therefore there is no book to-day under any ban except one which was found to rouse communal bitterness and discord.

An amending Bill on behalf of the Congress Party was introduced to repeal the Bihar and Orissa Public Safety Act, passed by the Assembly and assented to by the Governor. Thus extraordinary powers vested in the Executive were withdrawn giving full scope to the ordinary laws as a forerunner of normal conditions. Restraint orders passed on certain political suspects lapsed as a matter of course. It may be noted that it was Orissa which first undertook to repeal the Bihar and Orissa Public Safety Act.

#### LAND REVENUE & REMISSION

A remission of Rs. 0-1-6 in the rupee in raiyatwari tracts for wet lands in the ex-Madras area has been granted in Ganjam district for fasli 1347. The Madras dates of kistbandi were inconvenient to the people as the first kist fell due and was being realised before the paddy harvesting season. Cultivators were forced to borrow money from money-lenders, usually at high rates of interest. A change in the dates of kistbandi was necessary for the convenience of the agriculturists. It was, therefore, ordered that the first kist should fall due on the 10th January, instead of on the 10th. December and while the last kist should fall on the 10th April instead of on the 10 March. Similar changes in the dates of kistbandi in other Government areas like Angul in North Orissa are also under the consideration of Government.

The abolition of the Sarbarakari system in North Orissa, by which land revenue was being collected by selected persons as commission agents of Government is now under consideration. Government have also ordered an enquiry into the chaukidari system. The evils of this system pointed out from time to time are, firstly, that every house-owner in the village is made to pay a certain amount as chaukidari tax to the State and yet the villagers have practically no voice in the appointment and control of chaukidars, and secondly, that the assessment of this tax is not based on any definite principle. To remove these and similar anomalies the whole matter has been referred to a committee for investigation and a decision will be arrived at as soon as the enquiry is completed and the committee submits its report. The question is important to North Orissa, as the franchise under the Government of India Act of 1935 is based on the assessment of chaukidari tax.

#### ABOLITION OF BETHI & BEGGARY

It is a part of the policy of the Government to abolish 'bethi' or forced labour. This system was in existence in most of the partially-excluded areas of the Province, which covered about 60 per cent of the total area. The Government decided that labour in any manner or form without full payment should not be used either by Government officials or by zemindars or their officials. Circulars have been issued to this effect and District Officers have been instructed to warn all subordinate officials and to take serious action whenever such cases come to light.

#### IRRIGATION

Orissa is a province which depends mainly on agriculture. Agriculture cannot prosper without irrigation. The irrigation possibilities of this Province have not been fully explored. With a view to extend such activities a new section has been constituted to explore the possibilities of irrigation works in North Orissa. A Tank Restoration Scheme is proposed to be started in South Orissa so that the existing irrigation works will be repaired and an irrigation programme will be kept ready to be taken up including big schemes of irrigation works in the near future. In pre-British times there was a number of big old tanks in the Province. It is proposed to reclaim these tanks. A beginning has been made by a provision of a lakh of rupees in 1938-39. Added to this a special sum of Rs. 65,000 has been sanctioned out of an estimated sum of Rs. 95,000 for improving the Mahanadi canal system. The Rushikulya canal system is being improved and an extra 15 thousand acres are proposed to be brought under cultivation. The running charges of the Rushikulya system are being reduced by effecting economies. To examine the possibilities of

lift irrigation by a system of tube-wells a small provision of Rs. 25,000 has been made as an experiment. Irrigation cess under the Mahanadi canal system has been reduced by 25 per cent. Zamindars are asked to improve their irrigation works and water-supply sources. Government have offered them loans on easy rates of interest to be realised in a number of years for this purpose.

Though early records show that devastation from flood has been causing acute distress in the deltaic districts of Orissa from an early period, yet it is unfortunate that no systematic or scientific study of the question had been undertaken till very recent years. Each high flood and its after-effects were treated as an isolated event and were tackled in the best possible manner that could be done for the time being. In fact, the description of conditions caused by higher floods in the year 1858 as described by Captain Harris is certainly no less disastrous than the conditions we are accustomed to see in recent years. In 1923 an Expert Committee was appointed which submitted an admirable report in which it has been stated that certain essential materials were not available then and it was recommended that these materials should be collected systematically and the whole problem should be studied continuously by a proper staff of technicians. They suggested a broad line on which certain works were to be carried out and a rough estimate for such works was calculated to be Rs. 70 lakhs. On account of the slump in 1929 it was not possible for Government to carry into effect the recommendation of the Committee even though they were lacking in essential basic data.

The assumption of office by the present Congress Government synchronized with the coming of 1937 flood, the highest on record since the days from which any record has been kept. This caused widespread disaster and emergency relief was undertaken by mobilising all available official and nonofficial help. A sum of nearly 2 lakhs in round figures were spent for the purpose of emergency relief such as aid to house-building and agricultural loans. Seeds were distributed to enable the flood-stricken people to grow a second crop. The Congress Government realised that unless radical steps were taken to combat the root cause of the floods the revenue of the Province would never be secure and no economic development of the deltaic districts, which are mainly agricultural, could be thought of.

Government sought the advice of Sir Visvesvaraya, the eminent engineer who put his services at the disposal of Government free of any cost. He submitted a preliminary note in which he indicated the lines on which the Government should proceed in order that the best result could be obtained. He also warned Government that this problem could not be tackled without incurring very heavy expenditure which could not be forecast before an extensive preliminary investigation had been made. A special Flood and Drainage Division was created at an annual cost of Rs. 45,000 with the purpose of collecting and co-ordinating information on the rivers and embankments and so far it has devoted special attention to the problems arising out of flood and water logging. As advised by Sir Vivesvaraya, Government did not think it prudent to launch upon any ambitious scheme involving an expenditure of large sum of money before they could obtain the necessary expert based upon correct data which will take some time to collect. But in the light of experience of past floods certain works have been undertaken at a cost of about Rs. 25,000. Of these the most important in the deepening of the Sur Lake cut, which provides a direct opening to the Sea, and the Pampur cut in Kakatpur which will provide another direct outlet. The course of the Naya Nadi is also being improved. Besides several other minor works in the district of Puri have been undertaken in order to facilitate the quick run off of water. The procedure for transmitting high flood news has been thoroughly revised and brought up-to-date to ensure an early receipt of information regarding high floods. An elaborate code for systematizing the work of rescue and relief on occasions of disastrous floods is being compiled.

#### ASSEMBLY ACTIVITIES

The Orissa Assembly passed two official resolutions, one rejecting the Government of India Act 1935, and demanding the appointment of a Constituent Assembly and the other declaring opposition to the Federal Scheme that is proposed to be thrust upon the people of India under the Government of India Act of 1935.

Government accepted another resolution moved by the Congress Party for purchase of Khadi in all its departments. Swadeshi and Khadi are being insisted on in all purchases effected by the Government of Orissa.

### INDUSTRIES

Special attention has been given to the development of village and cottage industries in the Province. About sixty workers have been trained in the art of manufacturing gur (jaggery) from date-palm and palmyra under the control of the of the All-India Village Industries Association. These men, after training, will go round the villages to teach ordinary villagers both the art of drawing juice and also preparing jaggery out of it. Added to this some youngmen are trained in making hand-made paper. There are immense possibilities in Orissa for this as the Province has a large area of forest and undeveloped tracts abounding in bamboo, grasses and other material useful for the manufacture of paper. Production of Khaddar has been given a great impetus through the agency of All India Spinners' Association and necessary grants are sanctioned for the extension of spinning and the production of Khaddar, a loan of Rs. 25,000 has also been given to the All-India Spinners' Association for the production of Khaddar on a large scale so as to enable the producers to supply the needs of Government. With the assistance of the Government of India a Textile Marketing Organisation has been set up for the production and marketing of hand-loom products. Training in Cottage Industries has continued to receive support and stipends have been granted for training in textile in the Victoria Jubilee Technical Institute, Bombay and in umbrella making and bellmetal casting and polishing and pottery at the Industrial Research Laboratory, Calcutta.

### EDUCATION

Since the advent of the Congress Ministry five committees have been set up by Government to advise them on several matters relating to Education in the Province.

The question of deprovincialisation of Zila Schools and reorganisation of Secondary Education are under the consideration of Government. Government are considering the Wardha Scheme of education and have recently deputed the Principal of the Training College at Cuttack and a Sub-Inspector of Schools and another youngman to Wardha to receive training on new lines.

A grant has been made for the development of Oriya culture and similar help is being extended to other cultural activities of the Province.

Besides the usual provision for scholarships for Harijan and hill tribes, special grants of Rs. 5,000 and Rs. 7,000 were sanctioned in the years 1937-38 and 1938-39 respectively for construction of hostels and school houses, provision of stipends and purchase of books and slates for them.

### SALT MANUFACTURE

Orissa has an extensive sea coast. Salt was an ancient industry in this Province. It decayed and disappeared in course of centuries. The Ministry is taking up the question of reviving the salt industry and have appointed a committee with Sri Jagannath Misra, Parliamentary Secretary, to study the system of salt manufacture in Bengal, Madras and Travancore State. Another attempt was also made with the help of Village Industries Association to introduce warehouse system on co-operative basis. Salt is a Central subject. The Government of India will be moved in this direction for which necessary materials are being collected. The Ministry is determined to revive the salt industry and expects to afford a living for thousands of families in the Province.

### HARIJANS & HILL TRIBES

Orissa has 20,000 sq. miles of partially-excluded areas. The problem of hill tribes is therefore a great problem for the Government. The problem of Harijans is also connected with this question. Government started a middle English school in the Rayagada sub-division of Koraput district and a few primary schools were also started for the hill tribes and Harijans in these partially-excluded areas. More money is spent on the improvement of medical aid and Public Health of these areas as also for new roads. Circulars have been issued to all departments to appoint in all clerical and mental establishments men of these areas giving preference always to Harijans and hill tribes.

Government have sanctioned Rs. 5,000 annually over and above what was being spent by the Education and Development Departments for these classes of people. This money is being utilised in consultation with Harijan Sevak Sangha and the members representing the scheduled castes in the Orissa

Assembly. Six Harijan workers have been taken for training in the Village Industry Instituto started at Cuttack subsidized by Government. A number of youngmen are trained in the art of manufacturing gur (jaggery) out of date and palmyra juice. There is a hostel at Cuttack called Kaibalya Kutir for Harijans started by the Harijan Sevak Sangha in a rented house and Government have sanctioned money for the construction of a building for the hostel. Provision is made for Harijan students for getting some technical training. Government have promised subsidy for getting two silk rearers from Assam to teach the Gandas (Harijans) of Sambalpur in rearing cocoons. Free use of State forests for rearing cocoons is offered to Harijans in Sambalpur and Angul. The Spinners' Association is given subsidy to carry on spinning and weaving works among the Pans (Harijans) of Angul. Government have issued instructions to all educational institutions to admit Harijan students without any restriction.

#### PROHIBITION

Prohibition of all intoxicating drugs is the ultimate goal of the Government. Orissa has more opium evil than drink. It has, therefore, been decided to take up opium prohibition in the province and Balasore has been selected for starting opium prohibition in the first instance. Necessary preliminaries are being made in right earnest.

An officer and one of the Parliamentary Secretaries, Sri Rajakrushna Bose were sent to Assam to study the preventive methods adopted by the Assam Government against illicit traffic in the Province. Instructions have been issued to the Excise Officers of Government that the old policy of maximum revenue with minimum corruption is given up and that they have to prepare themselves for a policy of total prohibition. Instructions are also given to shift toddy and liquor shops from prominent places and to abolish all new shops opened last year with a view not to encourage any more new shops.

#### RETRENCHMENT

Government appointed a Retrenchment Committee in the beginning of 1938 with Pandit Godavaris Misra as chairman. This Committee submitted an interim report in March 1938. Their recommendations regarding travelling allowances and daily allowances have been considered and generally accepted by Government.

### Activities of the Behar Government

The Working Committee of the Congress having decided in favour of office acceptance the present Congress Government in Bihar came into being only in July 20th 1937. Since then it has taken various legislative and executive measures to ameliorate the condition of the people and advance the cause of Purna Swaraj. In all these matters its guiding principles have been those that were laid down in the Congress Election Manifesto and the Faizpur resolution. That during these nineteen months of office it has been successful to a great extent in its double mission namely, that of bringing relief to the masses and of advancing the cause of freedom, is amply borne by the following brief account of its activities.

#### AGRARIAN PROBLEMS

The tenancy law in Bihar was in some respects in advance of the tenancy law as it obtains in other provinces and some of the reforms contemplated in the Faizpur resolution were already part of the existing law. The new law enacted by the present Government has therefore given relief to the rayats by cancelling all enhancements of rents between January 1911, and December 1936, (ii) reducing all rents commuted between January 1911 and December, 1936, in the same proportion in which the prices have gone down, (iii) total or partial remission of rent in cases where the soil has deteriorated by deposit of sand or submersion under water or by another specific cause or where the landlord has neglected the irrigation arrangements which he is bound to maintain, (iv) reduction of rent where there has been a fall in the average local prices of staple food crops (not due to a temporary cause) during the currency of the present rent and (v) settlement of fair rent in other

suitable cases, Rent so settled or reduced in any of the above ways will not be liable to enhancement for 15 years.

#### TRANSFER OF OCCUPANCY HOLDINGS

The law was very strict in respect of the transfer to occupancy holding or part thereof and any transfer of occupancy holdings which had not the consent of the landlord was not binding on him. The law has now been completely changed in this respect and by the amendments made, unrestricted right of transfer of occupancy holdings has been conceded. No salami (landlords fee) need now be paid by a transferee to get his transfer recognised. The landlord is bound to mutate the transferee's name in his papers if only the transferee pays a nominal registration fee which, in the case of a transfer, has been fixed at two per cent of his annual rent of the holding and in the case of an exchange at a sum of Rs. 2 only payable by each of the parties to the exchange. The rule of law applies also to transfers made before the commencement of the new Act but not yet recognised by the landlord concerned. The transferee has in such cases only to give a notice to the landlord through the Collector and pay the fee mentioned above. But in the case of transfers made before 1923 even notice is not necessary nor is it necessary to pay any registration fee at all. It has further been provided that all proceedings for realisation of salami pending under the old law on the date on which the new Act comes into force shall lapse. If and so long as the transferee chooses to remain joint with his transferor, the landlord cannot compel him to pay any fee whatsoever. The question of fee comes in only when the transferee wants to pay rent separately for his share of the holding. In such a case the transferee is required to pay a rent distribution free of four per cent of the value of the portion transferred to him. As soon as this fee is paid the landlord is bound to recognise any distribution of rent made between the transferee and his transferor. If the landlord or his authorized agent refuses to accept the fee, the transferee has the right to deposit the amount with the Collector who will give notice of the distribution fee to the landlord. In calculating the rent distribution fee, any amount paid by the transferee as registration fee must also be taken into account.

Formerly, under-tenants had no right to acquire occupancy right in their rayati-holding. The new law enables them to acquire occupancy rights, if they have cultivated the land for 12 years as under-riayats. An under-riayat having such occupancy right will now enjoy rights similar to those of an occupancy riyat in respect of trees, bamboos, and use of, succession to and eviction from his land.

#### RESTORATION OF LANDS

On account of the economic depression which began in 1929 many riyats were unable to pay the rents of their holdings. The result was that innumerable holdings were sold in execution of decrees for arrears of rent and were purchased by the landlords, in prices. For the relief of such persons a special legislation was necessary and the Bihar Restoration of Sakasht Lands and Reduction of Arrears of Rent Act was, therefore, enacted for the purpose. This Act dealt with two matters, namely, (1) restoration of lands which had been sold in execution of decrees for arrears of rent during the period of depression and (2) reduction of arrears which had accumulated during the said period.

Special tenancy legislations in the shape of the Champaran Agrarian (Amendment) Act and the Chotanagpur Tenancy (Amendment) Act have been passed with a view to meeting the special needs of the local areas.

#### PROHIBITION SCHEME

The Government are committed to the policy of prohibition of intoxicating drinks and drugs even at the expense of excise revenue which forms the bulk of the revenue of this province. In order to implement this policy a Prohibition Act has been passed. It enables Government to introduce prohibition in selected areas and go on gradually extending it to other parts of the province, so that in the course of a few years the whole province may go dry. Prohibition has already been enforced in the district of Saran and the reports which have so far reached Government of its working are very encouraging and show that the scheme has had a very successful start.

It is estimated that some 5,000 persons were engaged in the work of tapping of palmyra trees before the introduction of prohibition. For about a month in the

beginning there was same illicit tapping of trees but this was soon brought under control. The tappers have now taken kindly to the campaign and are adjusting themselves to the new conditions. The problem of providing alternative occupation for tapping communities has been one of difficulty, as majority of these know no other profession. But during the past few months a large number of them have taken to various other forms of occupation and employment. An attempt is also being made to settle Khas Mahal 'diars' lands with as many of them as possible to enable them with agricultural loans.

#### ECONOMIC BENEFIT

Another measure of economic benefit is the Bihar Money-Lenders' Act. This is designed to give relief to debtors generally by regulating money-lending transactions within the province. Provision has been made for the registration of money-lenders on payment of a small fee. No one who is not a registered money-lender can institute any suit for recovery of his dues from the debtor. All money-lenders are bound to maintain proper accounts and give receipts to their debtors for all payments made. The rates of interest have been fixed at not more than 9 per cent per annum in the case of secured loans and 12 per cent per annum in the case of unsecured loans. But in no case can a decree on account of (interest accrued or realised) be passed for an amount which exceeds the amount of the principal loan. The Act exempts a portion of the holding of an agricultural debtor from sale in execution of a decree for the amount due, the area so exempted being one acre, if the holding does not exceed three acres, and more up to the one third of the entire holding if the holding is of more than three acres. Debtors will now be able to deposit into court money due on a loan, if the money-lender or his agent refuses to accept payment. To guard against fraud it has been provided that where a loan is advanced on a registered document the entire amount of the loan or as much of it as is payable in cash must be paid in the presence of the Sub-Registrar. Two other bills for conciliation of debts and to deal with agricultural debts are on the legislative anvil.

#### CIVIL LIBERTY AND POLITICAL PRISONERS

On the administrative side the release of political prisoners and the maintenance of civil liberty has been one of the major items of the present Government's policy. All persons interned or externed under the Bihar Safety Act, 27 in all, were released during the first month of Government's taking office. By the 12 March many political prisoners were released and subsequently 3 other persons not previously classed as political prisoners were also released.

The political literature proscribed by previous Governments was put to a careful examination and the ban was removed from 92 books and publications. The freedom of the Press has been removed from 92 books and publications. The freedom of the Press has been ensured. No newspaper is now working under security and there is no ban on any association.

The Government took an early opportunity of making it clear to the public and to all officers of Government that previous participation in political activities so long as they did not involve violence would no longer be a bar to appointment on Government service. Government are examining the question of reinstating in service those who resigned or were discharged on political grounds during the Civil Disobedience movement.

Order have been passed cancelling the circular issued in 1930 banning the hoisting of the national flag by local bodies on their buildings.

Government have also passed orders removing the ban imposed since 1923 on employees of local bodies prohibiting them from participating or assisting in Congress meetings.

Retired Government servants are now at liberty to seek election to the Legislature or local bodies on Congress ticket.

Three important resolutions moved by the Hon'ble the Prime Minister were passed by the Bihar Assembly. One of these related to the demand for a Constituent Assembly, another to the rejection of the Federal Scheme and the third to the abolition of titles.

#### MASS EDUCATION

The Mass Literacy movement which was inaugurated by the Hon'ble Dr. Syed Mahmud, Minister of Education at the end of April last for eradicating adult

illiteracy and spreading enlightenment among the masses has made good progress during the past few months. With the help of about 14,000 volunteers drawn from the student community, teachers, the inspecting staff of the Education Department and other public spirited workers, more than 12,000 literacy centres were started with an average attendance of about one and half lakhs per term of six weeks. The figures received till August show that over 3 lakhs have been made literate during the first four months of the campaign. A feature of the movement has been that it has also spread in the jails and almost every prisoner who has been in jail during this period has been made literate. Literacy classes in jails are being conducted by jail authorities, literate prisoners as well as by outside voluntary teachers. The movement is also spreading in industrial areas and a network of centres has been started at Jamshedpur. The sugar mills have also taken up this work in their reserved area. The expansion of literacy among women is making slow but steady progress.

The Bihar Council of Women has given a great impetus to the movement and has appealed to other women's organisations for help and co-operation. The campaign, which was started on a purely voluntary basis, has now been placed on a permanent basis with the Government grant of Rs. 80,000. Under this scheme the existing machinery of the Education Department will be utilised for the organisation and supervision of this work.

#### INDUSTRIAL DEVELOPMENT

For the improvement and development of hand-spinning and hand-weaving Government have sanctioned a grant of Rs. 12,500 and Rs. 17,500 during 1937-38 and 1938-39, respectively, to the Bihar Branch of the All-India Spinners' Association to organise the production of hand-spun and hand-woven cloth on a large scale and also to extend the work in new areas.

With a view to revive the manufacture of hand-made paper as a cottage industry, a paper-making class has been started at the Cottage Industries Institute at Patna. The course of training extends to 6 months and ten young men are now being trained at a time in the making of writing and blotting paper.

To develop the use of indigenous silk yarn in weaving silk fabrics in place of cheap spun silk imported from foreign countries, which in the past hampered the progress of the indigenous silk industry, a silk twisting plant is being installed at the Silk Institute at Bhagalpur.

Two stations have been started in the Manbhum district and in the Santal Parganas to supply tasar seed-eggs to the tasar silk rears in remote villages and small amounts as bonus have been given to the mulberry silk rears in a few villages in the Purnea district.

Government have sanctioned in 1938-39 Rs. 3,760 recurring to the Bihar Commercial Museum at Patna which is engaged in the task of developing commerce and industries of the province.

To help women workers of the Jharia coal-fields, who have been excluded from underground work as a result of a recent legislation two handicrafts institutes have been started at Jharia and Kustore. It is now proposed to train these women workers in hand weaving and basket making at an estimated cost of Rs. 9,720 recurring and Rs. 840 non-recurring.

With a view to removing unemployment among the professional class of mochis and chamars and to train middle class boys in improved method of leather tanning and leather work, two poripatic demostsation parties have been started at a cost of Rs. 6,766 recurring and Rs. 1,400 non-recurring.

#### INDUSTRIAL PLANNING

For the industrial planning of Bihar a conference of experts and industrialists was convened at Ranchi by the Hon'ble Dr. Syed Mahmud. The conference has formed three separate committees for the detailed investigation of the mechanical industries, the chemical industries and the cottage industries that can be suitably developed in the province, and to make their recommendations at an early date for the consideration of Governments.

With a view to develop the mineral resources of the province and to encourage the growth of large and small mineral industries, a detailed mineral survey of the province has been taken up at a cost of Rs. 33,000 spread over three years.

A sum of Rs. 1,000 has been contributed to meet the incidental expenses in connection with the National Industrial Planning Commission.

#### HARIJAN UPLIFT

Government have taken various measures for the educational advancement and economic improvement of the condition of the Harijans.

Rs. 18,310 has been provided in the current years' budget for the award of special educational scholarships to the Harijan students and it has been decided that Rs. 18,880 will be provided in subsequent years under this head. An additional amount of Rs. 4,000 has been granted in the supplementary budget for same purpose. Besides a sum of Rs. 1,140 has been set apart for special scholarships for their technical and industrial training.

Government have passed orders that free-studentships should be granted to all Harijan students reading in colleges.

Out of a total provision of Rs. 1,25,000 for rural water-supply Rs. 50,000 has been earmarked for the Harijans and aboriginals.

### Activities of the C. P. Government

Following the decision of the Congress Working Committee to accept office in Provinces, the Congress Government was formed in C. P. in July, 1937, with Dr. N. B. Khare as Premier. But later, he had to resign following a series of events which are now public property, and the present Government came into being with Pandit Ravi Sanker Sukla as Prime Minister. But this change in the personnel of the Cabinet did not mean any change of the policy and programme of the Government which have been always the same. Despite the two major crises the administration had to pass through, namely, the resignations of Dr. Khare and Mr. Shareef, the Government during their short tenure of office of nineteen months, have got a good record of achievements to their credit, of which any progressive Government may feel legitimately proud. C. P. was the first province to reject official titles and honours being conferred upon individuals for their meritorious service in public cause. The C. P. Government was the first to declare the dates of Tilak anniversary and Gandhi Jayanti as public holidays. Since their coming into power, they have been trying in various other ways to make the people feel that the administration of their Provinces is no longer run by foreigners but by their own men and their chosen representative. Under the old regime, the relation between the police and the public, specially Congressmen, was of intense bitterness. The Government, therefore, issued a circular letter to the Inspector-General of Police on this subject. They emphasised that with the transfer of control of the Police to popular Ministers the relations between the Police and the public should be set on a basis of complete understanding and sympathy. The police were asked to bear in mind that like other Government servants, they were also the servants of the public as a whole and that their work and behaviour should be fully animated with a spirit of service to the people. It was further pointed out that, in view of the feeling that the attitude of the police towards Congress organisations and individual Congressmen was at one time one of aloofness and suspicion, it was important to realise that Congressmen no less than others were members of the public and that, therefore, it was necessary to maintain and develop cordial relations with them as with other sections of the public.

The Government have set all political prisoners free and removed ban on public meetings and restrictions on press. Order have been issued in response to public opinion that in future the term "vernacular" should not be used in any official correspondence, publications and records. Heads of Political and Military departments have been instructed that in making appointments in public services they should not consider the conviction for any offence committed in furtherance of the Non-co-operation or Civil Disobedience Movements as a bar. The Government have recognised the degrees conferred by National Universities for the purpose of appointment in public services.

They have issued orders to restore properties that were confiscated and fines that were imposed upon individuals for their participation in the last Civil disobedience movement.

## ANTI-CORRUPTION DRIVE

Coming to the administrative side, the Government first attacked corruption and bribery among Government servants. It was decided that, if five respectable persons join in making a written complaint, otherwise than in regard to a case in which they are personally interested, either directly or indirectly, alleging corrupt conduct, either direct or indirect, on the part of any official of any department, the departmental superior or the officer in question shall be bound to make full investigation of the case and to inform the complainants of the result.

It was declared in this connection that, while it was the intention of the Government to protect Government servants against malicious attacks, it wanted it to be known that bonafide complaints of corruption would be promptly and thoroughly investigated and when such charges were established offenders would be suitably punished.

The Government have introduced reform in Judicial and Legal departments. All honorary magistrates have been asked to tender resignations of their appointments as a temporary measure. It has been decided to invest selected presidents and vice-presidents of municipal committees and notified area committees and chairman and vice-chairman of district councils and local boards with powers as special magistrates, without any remuneration for disposal of criminal cases. An officer on special duty has been appointed to formulate a scheme for the separation of Judicial and Executive functions. The question of discontinuing the practice of appointing special magistrates without remuneration and of removing those already appointed is engaging the attention of the Government.

The administration of the Jail department came in for a good deal of criticism under the former regime. The present Government have introduced the following important reforms in Jails :—

- (1) Reduction in the scale of 'dal' ration for the hot weather was discontinued.
- (2) The ration of salt was increased by 1-16 chhatak with effect from the 16th April, 1938.
- (3) It was ordered that the early morning meals to be supplied to prisoners should be hot.
- (4) Every prisoner was supplied with two sets of clothing instead of one and a brass tumbler for drinking water.
- (5) Wireless sets were ordered to be installed in each octagon of the Jails at Nagpur, Jabulpore, Raipur and Akola.
- (6) Well conducted casual prisoners are allowed to play indoor games except card games. The practice of outdoor games was extended to all jails.
- (7) Well conducted prisoners are allowed to have newspapers approved by Government at their own cost. The concession of smoking at their own cost out of earnings in jail has also been granted to them.
- (8) "A" and "B" class prisoners and political prisoners were permitted to purchase "smokes" from private cash.
- (9) Close cropping of hair was made optional except on medical grounds. Trimmed beard and trimmed moustaches were permitted.
- (10) The punishment of whipping was ordered to be inflicted only for mutiny or for incitement to mutiny or for their jail offences involving serious physical violence.
- (11) Jail authorities have been directed that every imposition of physical restraint by hand-cuffs and barfettors, either as a punishment or for safe custody should be reported to the Inspector-General of Prisons as is done in the case of whipping.
- (12) It was decided that power machinery should, as funds permitted, replace manual labour for pressing oil and drawing motos for water in Nagpur, Jabulpore, Raipur, Akola and Narsinghpur Jails and that half shutters should be provided for every latrine cubicle for the sake of privacy.
- (13) Every prisoner is allowed to write one letter and have one interview once a month instead of once in three months.
- (14) A committee of experts in trade and industry is to be appointed to examine the question of jail industries including hand-spinning and to make recommendations to Government.
- (15) It was decided that the Central Provinces Probation of Offenders should gradually be extended to areas to which it has not hitherto been extended. In

commemoration of the announcement made by the Hon'ble the Prime Minister in the Assembly about these reforms, all prisoners were given a special remission of two months unconditionally on the 15th April, 1938, and 653 prisoners were released in consequence of this remission.

(16) A bill to amend the Prisons Act, 1894, to provide for the special treatment of political prisoners in jails was introduced in the March session of the Legislative Assembly and has been circulated for eliciting public opinion.

#### LOCAL SELF-GOVERNMENT

Besides the usual grants to local bodies for general purposes, initial contributions to village panchayats, etc., a special provision of Rs. 2,00,000 has been made in the budget for the improvement of rural communications.

Instructions have been issued to local bodies that they cannot withhold increments of their staff except on the grounds laid down in rule 24 of Fundamental Rules or Article 152 of the Civil Service Regulations, i.e., bad conduct or unsatisfactory work.

#### MEDICAL & PUBLIC HEALTH

Besides the usual grants to Dufferin Hospitals, the Indian Red Cross Society and local bodies, provision was made in the budget for several new schemes. A sum of Rs. 5,000 is provided for the establishment of a Medical Council for the registration of medical practitioners. Similarly, a sum of Rs. 2,000 has been provided for the establishment of a Nurses' Registration Council. These reforms have long been overdue and were postponed for want of funds. A sum of Rs. 8,000 has been provided for the treatment of venereal diseases. A beginning has been made for the improvement of the Mayo Hospital by sanctioning Rs. 8,271 for the employment of additional staff. Provision has been made for the appointment of three additional Women Assistant Medical Officers and one Sub-Assistant Health Officer for anti-malarial work in the Nagpur Civil Station. Grants have also been provided for five Ayurvedic scholarships, improvement of the drainage system at the Chandkhuri Lepet House and hospital at Baitalpur and for the establishment of cheap-plan dispensaries at Pasaghat in the Bilaspur district and Khamla in the Betul district.

It has been decided that recruitment to the Provincial Medical Services will be closed to persons outside the province.

A committee to examine the indigenous systems of medicines practised in the province in all its aspects has been appointed.

#### COMMERCE & INDUSTRY

Action has been taken to give effect to the following schemes :—

(1) Scheme for the encouragement of hand-spinning and hand-weaving in rural areas.

(2) Scheme for the training of village Chamars in offal.

(3) Scheme for the establishment of a dead cattle institution in the Tannery Building, Nagpur, for the training of Chamars in (i) the art of flaying, (ii) salting and curing of raw hides, (iii) manufacture of flesh and bone manure, (iv) extraction of animal fat and (v) preservation of blood, muscles, horns, etc.

(4) Training of students in umbrella-making in the demonstration classes of the Government of Bengal, Calcutta.

(5) Training of boys at the Institute maintained by the All-India Village Industries Association, Wardha.

(6) Establishment of a Labour Office for the province.

(7) Establishment of Cottage Industries Institutes at Jubbulpore and Akola.

A training class is being held at Wardha for the training of workers to whom the organization of hand-spinning and hand-weaving centres will be entrusted. Teachers have been selected for carrying out the scheme for the training of village Chamars in the preparation of offal and, as soon as their training is completed, they will be sent out to selected centres for carrying on propaganda among the people.

A class for the training of village Chamars in the extraction of fat from dead cattle and the conversion of offal into useful manure was opened at Kosmi in Balaghat under the auspices of the District Village Uplift Committee, and

arrangements were made with the All-India Village Industries Association, Wardha, to depute a trained worker to Balaghat to teach village uplift workers the method of a more profitable disposal of carcasses of animals. A class was opened on the 20th March and 40 to 50 Chamars from the neighbouring villages attended it regularly and showed great interest.

A scheme for the establishment of a dead cattle institution in the Tannery Buildings at Nagpur has been sanctioned for the training of Chamars in (1) art of flaying, (2) salting and curing of raw hides, (3) manufacture of flesh and bone manure, (4) extraction of animal fat and (5) preservation of blood, muscles, horns, etc.

Three Students have been sent to Calcutta to attend the demonstration class of umbrella-making, and it is hoped that when they return after six months they will be able to set up a cottage industry of umbrella-making in the province. Training of boys at the All-India Village Industries Institution at Wardha has been arranged and twelve boys have been selected.

A Labour Office has been established under the general supervision of the Director of Industries to collect abstract, analyse and publish statistics relating to industries and conditions of labour.

The scheme of a cottage industries institute which was sanctioned in the previous year has been given practical effect to, and courses in weaving, durrie-making, toy-making and basket-making have been opened both at Jabulpore and at Akola.

#### VIDYAMANDIR SCHEME

If the C. P. Government did nothing else than introducing the Vidyamandir Scheme in the province they would have earned the gratitude of the people of whole India for the lead they have given in educational reforms in the country. The Vidya-Mandir scheme has been prepared under the inspiration of Mahatma Gandhi himself with a view to liquidate the mass illiteracy with the minimum cost. And consistently with the ideal of the Congress of which Mahatmaji is the undisputed leader, the Government have taken up the scheme in right earnest and sanctioned a sum of Rs. 2,00,000 for it.

An organizing officer of Vidya-Mandirs has been appointed and training school for pupil teachers opened at Wardha from the 20th April 1938. A monthly bulletin in Hindi entitled the "Vidya Mandir Samachar" is being issued every month to keep the public informed of the progress. The Zakir Hussain Committee has framed the syllabus which has been translated into Hindi and Marathi. Several institutions have already been started under the scheme.

Government have decided to remit the duty chargeable under the Stamp Act in respect of a deed of gift of immovable property executed in favour of the chairman of the managing committee or the trustees of an educational institution recognized by the Provincial Government as a Vidya Mandir or established under any law regulating such institution.

#### ADULT SCHOOLS

Provision has been made for a grant of Rs. 2,000 in 1938-39 for establishing 50 adult schools under the district council in the Central Provinces and Borar. A grant of Rs. 40 per school will be paid for the maintenance of such schools. Forty-four of these schools have already been established.

#### PHYSICAL UPLIFT SCHEME

A sum of Rs. 50,000 has been provided in 1938-39 for expenditure on this scheme. The question of the appointment of a Central Physical Uplift Board to assist the Hon'ble Minister for Education in organizing the working of this scheme is under consideration.

A large number of teachers and students carried on village uplift work during the last summer vacation in response to an appeal issued by the Hon'ble Minister for Education.

#### HARIJANS AND ABORIGINALS

Provision was made for the expenditure of Rs. 34,000 in 1938-39 for payments of stipends to Harijau students in all grades of schools and colleges as also for payment

of grant of Rs. 300 per annum to each District Harijan Sewak Sangh for expenditure on the education of Harijans. A second grant of Rs. 300 per annum will also be paid to each of these Sanghs for the supply of books and school materials to the students.

A sum of Rs. 17,380 has been provided in 1938-39 for opening schools for the children of aboriginal tribes in the Mandla district and in the zamindari areas in the Chanda, Chhindwara, Bilaspur and Drug districts. Recognized hostels for Gonds will also be paid grants at Rs. 3 per mensem per boarder from the provision and the salary of three Gond propagandists will be charged to this provision.

Provision has also been made for the establishment of two more circulating libraries in the rural areas of each district.

The Provincial Government has recognized the Seva Samiti Boy Scouts Association, India, and it has been notified to all the teachers in the educational institutions that they are allowed to join and help the movement by starting troops, companies and packs. An annual grant of Rs. 9,700 has been paid to the Association to meet the expenditure on headquarters staff including travelling allowance, camp expenses and contingencies, etc. for the year 1938-39.

#### RURAL UPLIFT

A rural uplift scheme for the establishment of 50 centres during 1938-39 in the Central Provinces and Berar was drawn up in consultation with the All-India Village Industries Association as promised by Government during the course of the budget speech in September 1939. The scheme combines both rural uplift and subsidiary occupations as it is considered that without some means of economic improvement much headway cannot be made in the direction of better farming, better sanitation and better living. In this scheme encouragement of hand-spinning and hand-weaving has been given a prominent place.

Rural uplift centres will be selected after a careful survey by a trained worker to be obtained from the All India Village Industries Association or the All-India Spinners' Association. Both these Associations have their headquarters at Wardha. This will facilitate liaison between them and the Rural Uplift Department of Government. The centre is to comprise villages within a radius of five miles of the central village. Such centres will be selected from villages having a tradition behind them of spinning or a profitable cottage industry which can be revived through the efforts of local men with Government help. The centres will be scattered all over the province in order to disseminate new and healthy ideas for propaganda purposes. Each centre will be in charge of one worker who will be paid Rs. 20 per mensem. These workers will be trained at a central institute for a period of about nine months. Mr. Shrikrishna Jaju of the All-India Village Industries Association has promised to help in training these workers.

The progress of work will include general welfare and a subsidiary occupation. The general welfare activities will embrace sanitation, health and hygiene, village roads, cleaning of wells and tanks and provision of water-supply, adult education and agricultural propaganda. On the industry side, it is proposed to work at least one oil mill throughout the year so that the village may get fresh, pure and nutritious oil. The manufacture of khadi will be the principal industry, the output of which will increase yearly until it reaches worth Rs. 1,200 in the fourth year, which is likely to be required for the needs of villages within a radius of five miles. Other subsidiary industries, such as ropemaking, rice-husking and dal-milling will also be introduced on improved methods.

#### ECONOMY MOVE

In order to economise expenditure, Government has decided that the daily allowance admissible to the Hon'ble Ministers should be reduced from Rs. 9 to Rs. 5 and the road mileage allowance from eight annas to four annas per mile for journeys within the Province with effect from 5th August 1938. Similarly, it has been decided to reduce the rates of mileage and daily allowance admissible to the Hon'ble Speaker while on tour within the Province from the annas eight a mile and Rs. 9 per diem to annas four a mile and Rs. 5 per diem respectively with effect from the same date.

#### BETTER RELATION

Government issued circular instructions that the Deputy Commissioners should, on request, place at the disposal of a member of the Legislative Assembly all information

touching the welfare of the constituency which he represents, except for instance, information relating to—

- (a) confidential subjects ;
- (b) recommendations made to superior authorities.
- (c) personal cases, and
- (d) matters pending or likely to be the subject of adjudication in a court of law.

The instructions also emphasize the importance of the development of relations of mutual confidence and harmony between all officers of Government, particularly the Deputy Commissioners on the one hand and the local Members of the Legislative Assembly on the other. The instructions go on to say that Government hopes that the Members of the Legislative Assembly will utilize the information received from the Deputy Commissioners to dissipate any misconceptions about local events or activities.

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### Activities of the Assam Government

The Congress Ministry was born in Assam in a rather exciting and dramatic atmosphere. In the last September (1938) session of the Assembly the Opposition tabled a no-confidence motion on the Saadullah Cabinet. In the face of the impending crisis, the Premier, Sir Md. Saadullah, who just managed to carry on the administration of the Province for nearly a year and a half with the support of heterogeneous combine, beat a hasty retreat and tendered resignation of his Cabinet without waiting for the verdict of the Assembly. Mr. G. N. Bardoloi, the Opposition leader was invited by the Governor to form a cabinet. He accepted the offer and submitted the names of the personnel of his proposed cabinet. The Governor approved them. But in the meantime the anti-Congress elements, Moslem Leaguers and European planting interests combined under what is called the Assam United Party and tabled as many as 56 no-confidence motions on Mr. Bardoloi and his colleagues who were yet to be sworn in. A point of order was raised and the Speaker ruled that no no-confidence motion be admitted against a Ministry which had not as yet taken the oath of office. He thus spoiled the game of the Opposition and adjourned the Assembly sine die, acting on the suggestion of Mr. Bardoloi, the leader of the House.

The Assembly dispersed and the new Ministers went to the Constitution Hall to take their oath of office. But soon after their arrival there, they were told that the Governor had postponed the oath-taking ceremony. An official Gazette Extraordinary was, however, already issued and circulated announcing the formation of the new cabinet and after this dramatic turn of events, the copies of the Gazette were recalled and the whole country had a hearty laughter at the plight of the then Governor who was responsible for this bungle. But soon, however, good sense prevailed on him and he realised the futility of his attempt to bring back into power a party which had been discredited so often in the past and which was nothing but a queer amalgam of so many conflicting interests, without having a common policy or programme. The next day, therefore, he called back the new Ministers, administered them the oath and formally installed them in office. This is, in brief, the story of the birth of the Congress Coalition Ministry in Assam.

When the present Ministry was formed in September last in the midst of such turmoil, the public were naturally doubtful about its fate for the air was still full of sounds of sabre-rattling of the Leaguers and European planters who declared from house-top that it was a minority Ministry and as such it would collapse the moment the open session of the Assembly met. The Assembly, however, did meet and in its December session, the division list on the no-confidence motion sponsored by the Opposition disclosed that it was in stronger position than was ever thought of. The latest position of the Ministerialist party is 60 in a house of 108 members, including the Speaker.

It must be mentioned *en passant* that Sj. Subhas Chandra Bose, the Congress President, played a very important role in the formulation of the Congress Ministry in Assam. He went to Shillong at the grave risk of his health, for he was not keeping well at that time, and assisted the Congress Party with

his wise counsel and excellent whipping which it badly needed. For all this, he deserves the grateful thanks of the people of the whole Province.

#### CONGRESS PROGRAMME

The present Ministry is not purely Congress. it is a Coalition Ministry. But as all the members in it have accepted the Congress principle and programme, it is as good as a pure Congress Ministry. Following the Congress principle, the Ministers have accepted the salary of Rs. 500 each and introduced in the administration the spirit of nationalism and service which was absent in the former regime. Formerly, the relation between the Police and the people, specially Congressmen, was one of mistrust and suspicion. But this Ministry have set it right and put in a basis of mutual help and understanding. The Premier, Mr. Bardoloi has issued a circular to all Government servants, especially the Police, explaining to them the change of administration and impressing upon them the desirability of changing their outlook in the present changed circumstances. He has asked them not to forget that they are the servants of the people and not their masters as they formerly considered them to be and advised them always to work in that spirit.

#### ECONOMY MOVE

The Ministry have also introduced a number of other reforms in the administration. As already said they have reduced their salary and given the savings thus accrued for the uplift of the tribal people. They have made further reduction in land revenue much in excess of what was granted by the last Cabinet. They have remitted the land revenue in the areas affected by the last floods. They have effected economy in the expenditure on the administration by making an all-round 10 p. c. reduction in the travelling allowance of the Ministers and Government officials. They have released all political prisoners and detenus. They have formulated an industrial scheme for the improvement of all small industries. They have introduced reforms in jails in the Province. As a measure of further economy, with a view to realising more funds for their utilisation on the nation-building work, they are reorganising services fixing where possible new scales of pay and restricting expenditure on less useful public works. They have curtailed the Police budget and given more money for the education of the tribal people of backward communities. They are going to introduce labour legislation for the benefit of the workers at Digboi and in tea plantations. To tap additional sources of revenue they propose to introduce in the next session of the Assembly the following five taxation bills and it is expected that when these bills are passed and placed on the statute book the Government will be able to wipe out the chronic deficit of the Province :—

- (1) Assam Agricultural Income tax Bill.
- (2) Assam Sales of Motor Spirit and Lubricants Taxation Bill.
- (3) Assam Sales Tax Bill to provide for imposition and collection of tax on sales of articles of luxury.
- (4) Assam Excise (Amendment) Bill to secure greater control over the consumption of liquor.
- (5) Assam Amusements and Betting Tax Bill to make an addition to public revenue of Assam and for that purpose to impose a tax on entertainments and other amusements and on certain form of bettings.
- (6) Assam Prohibition bill will also be introduced for prohibition of manufacture, sale and consumption of liquors, 'tadi' and drugs in the Province.

Another bill for distribution of powers of the Commissioners of Surma Valley and Assam Valley Divisions will also be introduced in view of the fact that the Post of the Surma Valley Commissioner has been abolished. Provision has also been made in this bill for discharge of duties devolving on the Commissioners in the event of the remaining post of the Assam Valley Commissioner being also abolished.

#### Activities of the N. W. Frontier Pr. Government

The following account of the activities of the N. W. Frontier Government was contributed to the Press by Mr. Ram Lal Chanda :—

The present Ministry in the Frontier Province took office on 7th September, 1937 i.e., about 8 months after the introduction of the Provincial Autonomy in the Province.

The Party at the time of its birth consisted of only 19 members elected on Congress ticket in a house of 50 members, including the speaker. The Congress Party, therefore, at the time of their coming into existence on the Ministerial benches, could not claim to have a true majority in the House and had to depend on other Progressive elements to be able to share the responsibility of the administration on an efficient basis. The Democratic Party of Hazara District under the lead of Hon'ble Khan Mohammad Abbas Khan, which had broken away from the Qayum Ministry, came to the rescue of the Congress Party in their effort to oust the reactionary Government from the land of the brave Pathans, substituting it by a popular government. A few unattached members also joined the Party, which gained a clear majority for the purpose of running the government. Having formed a coalition under these circumstances, Dr. Khan Sahib, the Leader of the Party, accepted the invitation of His Excellency to form a stable government in the Province. The Party added to its strength by winning three bye-elections, counting 22 Congress members in a Ministerial Party of 27 members. The resignation of Mohd. Samin Jan, owing to differences with the Ministry, again reduced its strength by one vote. Another handicap which the Congress Party had to encounter in this peculiar Province was that it had to depend on the subvention of a crore of rupees from the Central Government to run the inflexible revenue of hardly Rs. 8,000,000.

#### RELIEF TO PEASANTRY

The first relief granted by the Ministry was a remission of the land revenue of about one lakh which was granted to the petty land-holders paying a land revenue of Rs. 5 or below. What a marked contrast with the achievements of Sir Sikandar's Ministry in the Punjab, whose all agrarian reforms benefited the big landholders at the cost of the poor peasants. Dr. Khan's cabinet remitted another lakh of rupees from the water rates to the sugar cane growers of Mardan and Peshawar districts, who were in utter distress in addition to a remission of Rs. 55,000 in land revenue to the zemindars of Mardan District. Another remission of four annas in a rupee was granted for the Kharif harvest of 1937. The Government further suspended the recovery of the irrecoverable loans of the Takavi which amounted to more than 2 and one-fourth lakhs. The annual instalment paid by the Municipality of D. I. Khan towards the construction of bund was reduced by Rs. 56,000, its yearly interest being reduced from 6 to 3 per cent.

#### KOHAT LOAN

Although the Government of the Province ordered a remission of Rs. 2,16,000 in connection with the Kohat loan, the action of Dr. Khan's Ministry had been the subject of severe criticism not only amongst the opponents of the Party, but also by the Congressmen themselves who characterised it as a glaring instance of the breach of promise. It may be recalled that the Congress Ministry had advocated the entire remission of this loan in their election manifesto in addition to the promise made by various members of the Party in the course of the election-eering campaign. Another reason why the Government is being condemned in this connection is that they had enjoyed this remission from the Central Government which had originally advanced the sum. Deputations of Kohaties had waited upon Pandit Jawaharlal and Mahatma Gandhi during their Frontier sojourn. The Frontier Government was reported to have agreed to the reconsideration of their decision.

#### LOCAL SELF GOVERNMENT

The principal achievement of the Ministry in the domain of Local Self-Government is the abolition of the nominated block and the ex-officio chairman and presidents of the District Boards and the Municipal Committee throughout the Province. The Ministry of Local Self-Government have further under their consideration, a proposal to do away with the nominated element in the notified areas with the exception of ex-officio presidents. The Government have issued preliminary notifications regarding the establishment of village councils (Panchayats) on an experimental basis in the districts of Peshawar, Mardan and Dera Ismail Khan. The Government have also approved the system of joint electorate with reservation of seats for the minorities in District Boards, Municipalities and Notified area Committee. To eradicate corruption from the civic administration of the Province the Ministry have suspended a number of local bodies including the Municipal Committees of Banna and Abbottabad. The Government have also decided to constitute small town committees in Baffa and other places.

## INDEBTED AGRICULTURAL RELIEF ACT

With a view to giving relief to indebted agriculturists the Indebted Agricultural Relief Act sponsored by Hon'ble Qazi Attaullah Khan, Minister of Education was passed by the Assembly on the lines of the Madras Relief Indebtedness Act. This Act, however, led to a vigorous opposition both inside and outside the Assembly by the minority communities of the Province. Meetings were held in every nook and corner of the Province where Hindus and Sikhs protested against the legislation and appealed to the Government to withhold his assent from it. A minorities conference was also held at Peshawar where a vehement criticism of this measure was indulged. Rai Bahadur Mehr Chand Khanna, the Hindu leader, and ex-Finance Minister, was leading the agitation on this issue.

## VILLAGE COMMUNICATIONS

About Rs. 7,00,000 was spent on the construction of new roads, improvements to existing cross-country road, and reconstruction of bridges from provincial share in the road-development fund. Another sum of Rs. 13,000 was spent on inter-village communication which was met out of the grant of the Central Government for economic development of rural areas.

## MEDICAL RELIEF

To take stringent measures for the treatment and prevention of Tuberculosis, the Government has decided for the construction of a sanitarium at Dadot, in Hazara District. It will have 64 beds suited to all classes, involving a recurring expenditure of Rs. 23,000 per annum for its maintenance. The opening of the sanitarium, which has been considerably delayed on account of floods in river Siron will take place by April next. The scheme of medical examination of school children has been extended to schools in selected areas. Grants have been given for an up-to-date hospital in Mardan for constituting an X Ray department of Lady Reading Hospital at Peshwar, for the extension of female medical aid to different hospitals by the appointment of lady doctors, trained nurses and the starting of maternity welfare centres.

## INDUSTRIALISATION OF PROVINCE

Realising that the only way to mitigate unemployment amongst the educated youths of the Province, with a view to usher in a new era of prosperity for the people to better its finances, and to exploit the various resources of the Province to attain maximum benefits, the Frontier Government has taken on hands several proposals for the industrialisation of the Province. To give practical shape to their schemes it has been decided to set up a big sugar factory at Pakhat Bai, the well-known sugar-cane growing centre of the North in Mardan District. The Company has already been floated and the Government has bought shares worth Rs. 2,00,000. The Company will start working from April next, the machinery is on its way to the country. The Provincial Government have agreed to grant permission for the erection of a tanning factory at Peshawar, on the condition that 80 per cent. of the un-skilled labour employed in the factory shall be the inhabitants of this Province, that in the allotment of shares, preference shall be given to Frontier capital, in addition to reserving 10 per cent. of the total shares for the labourers themselves. The Government has further decided that 5 per cent. of the net profit of the Company shall be spent for the comforts and betterment of the labourers. The Government has further ordered the industrial survey of the Province to explore other avenues for the starting of more industrial concerns. The Government has also started a Handloom Weaving Institute, having spent Rs. 9,000 on the purchase of wool-carding and spinning set, Rs. 17,000 on the purchase of woollen raising and finishing plant and Rs. 15,000 on the purchase of hand-woven cotton cloth finishing calandar.

## EDUCATION

The Frontier Government have opened 50 more District Board primary schools for boys in addition to a number of adult schools in the Province. The post of the Director of Public Instruction was provincialized and for the first time an Indian was appointed to the job, in addition to keeping in abeyance the post of the Inspector of Vernacular Education, which has saved the Province a sum of Rs. 9,000 per annum. A sum of Rs. 44,000 was sanctioned as non-recurring grant for agricultural classes in the Islamia College at Peshawar.

Proceedings of  
**The Congress Working Committee**  
**The Hindu Mahasabha**  
**The Muslim League**  
*And*  
**Provincial Political Conferences**  
**JULY—DECEMBER 1938**





सत्यमेव जयते

# The Indian National Congress

## Proceedings of the Working Committee

*Wardha—23rd. July to 27th. July 1938*

A meeting of the Working Committee was held at Wardha, 23-27 July, 1938. Shri Subhas Chandra Bose presided.

The members present were Maulana Abul Kalam Azad, Shris Sarojini Naidu, Vallabhbhai Patel, Rajendra Prasad, Jinnalal Bajaj, Khan Abdul Ghaffar Khan, Bhulabhai Desai, Pattabhi Sitaramayya, Sarat Chandra Bose, Shankarrao Deo, Harekrishna Mehtab and J. B. Kripalani.

### MINUTES

The minutes of the last meeting were confirmed.

### THE ANDHRA, KERALA AND KARNATAK DEPUTATIONS

The Andhra and Kerala Separation and the Karnatak Unification deputations waited on the Working Committee. The Committee heard them at great length and passed the following resolution :—

"Having heard the views of the deputations of Andhra P. C. C., the Andhra Mahasabha, the Karnatak Unification Committee, the Karnatak P. C. C. and the Kerala P. C. C., on the question of the redistribution of provinces in India on a linguistic basis for administrative purposes, this Committee declares that the resolution of the Madras legislature on linguistic provinces and of the Bombay legislature on the separation of the Karnatak province were passed with the previous sanction of the Parliamentary Sub-Committee and the full approval of this committee. This Committee desires to assure the people of the area concerned that the solution of this question would be undertaken as a part of the future scheme of the Government of India as soon as the Congress has the power so to do and calls upon the people of this area to desist from any further agitation in this behalf which may divert attention from the main issue now before the country.

### PROVINCIAL QUOTA

The Committee considered the letter of the Sind P. C. C. for the reduction in the provincial quota. The opinion of the Committee was that no reduction was possible.

### COMPLAINTS ABOUT LOCAL BODIES

The following resolution was passed :

"Resolved that no complaints in connection with election and other affairs of the Municipal and other local bodies be addressed to or entertained by the Working Committee, until after such complaints have been placed before the final provincial authority and decided upon."

### SETTLEMENT IN CONNECTION WITH DRY FRUIT TRADE

The following resolution was passed :

"The Working Committee appreciate the action of the Afghan Government in abolishing the monopolistic arrangements made by them for controlling the export trade in dry fruit which were detrimental to the interests of Indian merchants in Afghanistan and India. The Committee welcome the restoration of status quo in this behalf which will help to improve friendly feelings between the people of India and Afghanistan."

LATE SHRI RAJA RAU

The following resolution was passed :

"The Working Committee expressed their sorrow at the premature and sudden death of Shri B. Raja Rao, the former office secretary of the A. I. C. C. and convey their condolence to the family of the deceased."

"Resolved that a gratuity of Rs. 1,000 be granted to the widow of Shri B. Raja Rao in recognition of his loyal services to the Congress Organisation."

*Note:* Shris Bhulabhai Desai and Sarat Chandra Bose were good enough to contribute half of this amount. The remaining half (Rs. 500) was to be paid from the A. I. C. C. funds.

#### EXPERT COMMITTEE

The following resolution was passed :

"With reference to the resolution passed by the Working Committee at Wardha on August 14-17, 1937, relating to the appointment of an Expert Committee to explore the possibilities of an All India Industrial Plan, it is resolved that as a preliminary step the President be authorised to convene a conference of the Ministers of Industries at an early date and call for a report of the existing industries operating in different provinces and the needs and possibilities of new ones."

#### BIHARI-BENGALI CONTROVERSY

The following resolution was passed :

"Resolved that Shri Rajendra Prasad be authorised to go into the Bihari-Bengali controversy relating to the questions of (1) Domicile, (2) Public Services (3) Education and (4) Trade and Commerce, and settle it finally.

"Pending the settlement of this controversy, the Working Committee appeal to all concerned, particularly to the Press of Behar and Bengal to desist from any further agitation in this behalf and help in creating a proper atmosphere for the just and harmonious solution of the whole problem."

#### DEPUTATION OF VAIDS AND HOMEOPATHS

The Deputation waited upon the Working Committee. The view of the Deputation were heard at some length and the following resolution was passed :

"The Working Committee received a deputation of medical practitioners other than allopaths. The Committee are of opinion that innumerable persons in towns and villages of India are receiving the benefit of treatment under other systems like Ayurveda, Unani and Homeopathy and they should receive recognition and encouragement from Congress Governments. The Committee are further of opinion that while measures may be adopted to ensure efficiency of such practitioners, nothing should be done to penalise any particular system. As regards the objection to particular proposals in the Bill pending before the Legislative Assembly of Bombay, the matter is referred to the Parliamentary Sub-Committee."

#### INDIAN STATES

(a) By the Haripura resolution the Congress Committees in the Indian States were placed under the direct control of the Working Committee. In this connection the following resolution was passed :

"Resolved that for the time being, the State Congress Committees do function as heretofore under the jurisdiction of their respective Provincial Congress Committees."

(b) Congratulations to Mansa and other States. The following resolution was passed :

"The Working Committee congratulate the people of Mansa, Wala, Ramdurg, Jamkhandi and Miraj on the success they have achieved in their brave and non-violent struggle for the vindication of their economic and political rights."

(c) Sympathy for Nilgiri (Utkal). The following resolution was passed :

"The Working Committee express their sympathy for the people of Nilgiri State in Orissa on the non-violent struggle they have been carrying on against the regulations banning meetings, processions and the formation of associations within the State."

## COORG

The Haripura resolution about Coorg has not been properly recorded in the Bulletin. It is recorded that Coorg be united "with Karnatak in the province of Bombay." It should be that Coorg be united "with Karnatak in the province of Madras." The Committee authorised the correction.

## SIKAR

The following resolution was passed :

"Having heard the account of the settlement of Jaipur-Sikar dispute from Shri Jamnadal Bajaj, the Committee congratulate the people of Sikar on having listened to his counsel and shown the true spirit of bravery in having decided to give up the idea of armed resistance and adopt the method of non-violence resulting in the prevention of bloodshed which was imminent.

"The Working Committee regret the needless loss of life that resulted during the recent firing in Sikar on the 4th July and express their condolence to the families of the deceased.

"The Working Committee hope that in the future dealings with the people of Sikar the Jaipur authorities will act in a spirit of conciliation so as to restore friendly relations between the State and the Rao Raja and the people of Sikar."

## PRESIDENTS OF LOCAL BODIES AND PARTY DISCIPLINE

On a reference made by Mahakosal P. C. C. whether the Presidents of local bodies who were Congressmen were above party discipline, it was decided that the Presidents of such bodies if they were Congressmen were as much bound by the Congress discipline as any other Congressman.

## The C. P. Ministerial Crisis

The Committee as it met on the 23rd was informed of what had happened upto then by Shri Vallabhbhai Patel, the Chairman of the Parliamentary Sub-Committee. The compromise arrived at Pachmarhi had not been carried out obviously by the Premier. The Ministry was not therefore working smoothly. There were press reports that two Ministers had put their resignation in the hand of the Premier on July 15. Dr. Khare sent a report to Shri Vallabhbhai Patel that he and some of his colleagues had not come to any agreement about some of the items of the Pachmarhi compromise. At the same time the Premier wrote that he would not take any precipitate action and leave the matter to Shri Vallabhbhai for final decision and would keep him informed about further developments. He did not however mention anything about any resignations from his Cabinet. Shri Vallabhbhai sent word to Dr. Khare not to precipitate matters as the whole question would be gone into and decided upon by the Parliamentary Sub-Committee and the Working Committee meeting on the 23rd July. On the morning of the 21st however, Nagpur and the whole of India were surprised and shocked to learn that Dr. Khare along with two of his colleagues, Shris Gole and Deshmukh had resigned and their resignations had been accepted by the Governor. The remaining three Ministers, Shris Shukla, Misra and Mehta who had refused to resign were dismissed by the Governor. Not only this but during the course of the night of the 20th a new Ministry had been formed without the consent and permission of the Congress authorities.

What had happened was that on the noon of the 19th Dr. Khare had enquired of his colleagues if they would resign in the event of his resigning. The 3 Mahakoshal ministers informed him that they would not, without orders from the Congress higher authorities and that he himself should not precipitate matters, on the eve of the meetings of the Parliamentary Sub-Committee and Working Committee. Dr. Khare however sent his resignation and that of the two consenting ministers. Thereupon the Governor invited the three remaining ministers to put in their resignation. They asked for time to consult the Congress authorities. They put themselves in touch with Shri Rajendra Prasad who was at Wardha on the night of the 20th. Shri Rajendra Prasad advised them not to resign and sent letters to Dr. Khare, Gole and Deshmukh advising them to withdraw

their resignations or at least not insist upon their acceptance till the Working Committee had met. These letters had no effect. The Mahakoshal ministers informed the Governor that as instructed by the Congress authorities they were unable to resign. Thereupon the Governor accepted the resignations of the Premier and the 2 ministers who had resigned and terminated the office of the remaining 3 ministers. At 5 a.m. on the 21st he called Dr. Khare to form a new ministry. Dr. Khare gave the names of Shris Golo, Deshmukh, Agnibhoj and Pyarelal Singh as his new colleagues. All this drama was enacted during the course of one night.

The Parliamentary Sub-Committee that met at Wardha on the 22nd called Dr. Khare. The President was also present. The President and the Committee had some discussion with Dr. Khare who was now convinced that he had committed a grave error of judgment in resigning himself and calling upon his colleagues to do likewise without consulting either the Parliamentary Sub-Committee or the Working Committee. The only course therefore left for him was to undo the wrong that had been done. Dr. Khare with the advice of the President and the Parliamentary Sub-Committee returned to Nagpur and placed the following letter of resignation in the hands of the Governor on the 23rd :

"Dear Sir Francis,

Since my resignation and formation of the new Cabinet I have had opportunities of consulting the Congress President and the Parliamentary Sub-Committee. As a result of this consultation I have come to realise that in submitting resignation and forming a new cabinet I have acted hastily and committed an error of judgment. I, therefore, hereby tender resignation on behalf of myself and my colleagues."

On the evening of 23rd Dr. Khare was again called to Wardha to meet the Working Committee. The Committee indicated to him that the natural consequence of his resignation as the Premier was that he should resign the leadership of the C. P. Parliamentary party. He accepted this position but informed the Committee that after his resignation was accepted by the party, he would again put himself forward as a candidate for the same position. The Committee indicated to him that after all that had happened it would not be proper for him to adopt such a course. In the event of his persisting the committee would be constrained to pronounce their judgment on the series of events culminating in his forming the new ministry. Dr. Khare however insisted upon what he called his right to contest the election for the leadership.

The Committee also advised Dr. Khare to call the meeting of the party on the 27th at Wardha. In this connection he issued the following notice calling a meeting of the C. P. Parliamentary party :

"A special meeting of the C. P. and Berar Congress Assembly Party will be held at Wardha on Wednesday the 27th July at 9 a.m. to consider :

1. The situation created by the resignation of the Premier and his two colleagues, the dismissal of the three Mahakoshal Ministers, the reformation of the new Ministry and its subsequent resignation ;
2. Resignation of the Leader ;
3. The election of the Leader.

Under some misapprehension telegrams have been sent to some members of the party informing them that the above meetings will be held at Nagpur. They will please note that the above meeting will be held at Wardha and not at Nagpur."

On the 25th evening Dr. Khare along with the Congress President and some members of the Working Committee met Gandhiji at Shogaon. After some discussion it was proposed that Dr. Khare should make a statement and issue it to the press. Dr. Khare accordingly prepared a statement. Some additions and alterations were suggested by Gandhiji. After considering these, Dr. Khare changed his mind and wanted time to consult his friends at Nagpur and decide whether he would issue the statement or not. He said that if by 3 p.m. on the 26th the Working Committee did not hear from him it must be considered that he was not prepared to issue any statement. At 3 p.m. on the 26th the Working Committee were informed by a phone message from Nagpur that Dr. Khare was not prepared to issue the statement in question. The Working Committee thereupon passed the following resolution :—

# RESOLUTION

"After having heard the Parliamentary Sub-Committee and given anxious consideration to the circumstances that happened since the agreement arrived at in Pachmarhi between the Ministers in the presence of the members of the Parliamentary Sub-Committee and the Presidents of the three Provincial Congress Committees concerned and after having had several interviews with Dr. Khare, the Working Committee have reluctantly come to the conclusion that by the series of acts committed by Dr. Khare culminating in his resignation of his charge and demanding the resignation of his colleagues of their charge, Dr. Khare was guilty of grave errors of judgment which have exposed the Congress in the C. P. to ridicule and brought down its prestige. He was also guilty of gross indiscipline in that he acted in spite of warning against any precipitate action. His resignation was the direct cause of the exercise, for the first time since office acceptance by the Congress, by a Governor of his special powers whereby Dr. Khare's three colleagues were dismissed. The Working Committee note with satisfaction that these three Congress Ministers showed their loyalty to the Congress by declining, without instructions from the Parliamentary Sub-Committee, to tender their resignations which were demanded by the Governor. Dr. Khare was further guilty of indiscipline in accepting the invitation of the Governor to form a new ministry and contrary to the practice of which he was aware in actually forming a new ministry and taking the oath of allegiance, without reference to the Parliamentary Sub-Committee and the Working Committee, specially when he knew that the meetings of these bodies were imminent. By all these acts of his, Dr. Khare has proved himself unworthy of holding positions of responsibility in the Congress organisation. He should be so considered till, by his services as a Congressman, he has shown himself well-balanced and capable of observing strict discipline and discharging the duties that may be undertaken by him.

"The Working Committee have also come to the reluctant conclusion that H. E. the Governor of the C. P. has shown by the ugly haste with which he turned night into day and forced the crisis that has overtaken the province that he was eager to weaken and discredit the Congress in so far as it lay in him to do so. The Working Committee hold that knowing, as he must have, what was going on among the members of the then cabinet and instructions of the Parliamentary Sub-Committee he ought not to have, with unseemly haste, accepted the resignation of the three Ministers and demanded the resignation of the other three, dismissed them on their refusal to resign and immediately called upon Dr. Khare to form a new Ministry and sworn in the available members of the new Ministry without waiting for the meeting of the Working Committee which was imminent."

The Working Committee passed another resolution prescribing the procedure to be followed in the party meeting called for the 27th at Wardha. The resolution said: "With reference to the meeting of the C. P. Congress Parliamentary Party convened at the instance of the Working Committee, the Working Committee decided that in the special circumstances that have arisen the President do preside over the meeting, communicate to it the resolution of the Working Committee passed on the 26th July 1938 relating to the ministerial crisis in C. P. and conduct its proceedings. The Working Committee also decide that the meeting be held at the Navabharat Vidyalaya, Wardha."

The C. P. Parliamentary party met as directed at Wardha on the 27th at 9 a. m. President Subhas Chandra Bose presided. Those present were the members of the C. P. Parliamentary Party, the members of the Parliamentary Sub-Committee, the General Secretary of the Congress and the Presidents of the 3. P. C. Cs—Mahakoshal, Nagpur and Berar. In the voting however only the members of the party participated.

The President began the proceedings by reading the resolution of the Working Committee. He then placed the resignation of Dr. Khare from the leadership of the party before the meeting. This was accepted. He thereafter called upon the members to elect their new leader. One member proposed the name of Dr. Khare and asked for the ruling of the President if his name could be proposed. The president pointed out that the resolution of the Working Committee was before the meeting and if in the face of that Dr. Khare's name was proposed he would accept the proposal and allow voting thereon. On the President giving this ruling the name of Dr. Khare was withdrawn. The other names proposed were those of Shris Jajni, Shukla, Gupta, Khandekar, Mehta and Deshmukh. As Jajni's consent had

not been taken his name was withdrawn. Shris Gupta, Khandekar and Mehta declined to stand. There thus remained only 2 candidates in the field, Shris Shukla and Deshmukh. Votes were taken. Shri Shukla got 47 and Shri Deshmukh 12 votes, 13 members remained neutral. The President declared Shri Shukla as the duly elected Leader of the C. P. Parliamentary party.

#### STATEMENT BY THE PARLIAMENTARY SUB-COMMITTEE

As considerable interest is being taken by the public in the incidents culminating in the resignation of Dr. Khare from the Prime Ministership and the election of Pandit Ravi Shankar Shukla as the Leader of the Congress Party in the C. P. Assembly, and as inferences are being drawn from unauthenticated facts, it is necessary to explain the correct facts of the case.

Shortly before the meeting of the Working Committee in Bombay in the middle of May last, differences among the then Ministers of the C. P. and Berar became marked, and four of the Ministers tendered their resignations to the Prime Minister. One of them later withdrew his resignation. Without taking their party into confidence, all the Ministers came to Bombay and sought the assistance of the Working Committee. The matter was thus placed before the Working Committee which asked the Parliamentary Sub-Committee to have a meeting of the Congress Party in the C. P. Assembly convened and the matter settled in consultation with it.

Accordingly, a meeting of the Party was convened at Pachmarhi which was attended by the Chairman and one of the members of the Parliamentary Sub-Committee, as also the Presidents of the Provincial Congress Committee of Berar, Nagpur and Mahakoshal. Ultimately, the ministers reported to the Parliamentary Sub-Committee that they had themselves composed their differences, had agreed to a compromise and were prepared to work together.

The Party and the Sub-Committee dispersed with the hope that the differences had been settled, and the parties concerned would give effect to the terms of the compromise, and there would not be any more unseemly exhibition of differences. But the hope was doomed to disappointment, and reports began to reach Sardar Vallabhbhai Patel, the Chairman of the Parliamentary Sub-Committee, that the terms were not being observed by Dr. Khare. The Sardar had appealed to Dr. Khare to observe the terms of the settlement honourably and had also requested him to leave the final decision to the judgment of the Working Committee, in case of disagreement.

Things were going on in this way, when differences among the ministers again became acute about the 13th of July, and reports appeared in the press that two of them, Messrs. Gole and Deshmukh, had tendered their resignations to the Premier. On the 15th of July, Dr. Khare submitted his report to Sardar Patel about the steps taken to implement the Pachmarhi Agreement and of the situation as it stood up to that date. He also wrote to Sardar Patel that they had not been able to come to any agreement till then, owing to marked differences in their respective outlooks, but at the same time assured him that he would take no precipitate action and leave the matter to him for final decision. He requested the Sardar to give him an opportunity to place his view-point before him before a decision was reached. He added that he would keep the Sardar informed from time to time about the events as they occurred. Dr. Khare did not say any thing about the resignations of his two colleagues.

It will be remembered that a meeting of the Working Committee had been fixed to take place at Wardha on the 9th of July, but on account of the illness of the President, it had to be postponed to 23rd July. After this assurance from Dr. Khare, the Chairman of the Parliamentary Sub-Committee naturally felt that nothing was going to happen until the 23rd July, when the whole matter could be considered by the Parliamentary Sub-Committee and, if necessary, by the Working Committee; so he went to Poona for a meeting of the Bombay Assembly Party and later to Ahmedabad for the inauguration of the Prohibition campaign.

On the 19th July, Dr. Khare wrote to his colleagues that he was going to resign and, after pointing out that under Parliamentary conventions when a Premier resigned his colleagues should also resign, he asked for an assurance from them that they would observe this convention and resign with him. On the 20th July, Messrs. Shukla, Mishra and Mehta individually replied to him expressing their inability to

resign in the absence of instructions from the Parliamentary Committee or the Working Committee. At noon the same day, Dr. Khare submitted his resignation to the Governor along with the resignations of his two colleagues, Messrs. Gole and Deshmukh. The Governor wanted the resignations of the other three Ministers in pursuance of the convention referred to above. This was some time in the afternoon of the 20th July. Mr. Shukla and others tried to get in telephonic touch with Sardar Vallabhbhai Patel who was at Ahmedabad, but failed. Two of them then went to Wardha with Thakur Chhedilal, President of the Mahakoshal Provincial Congress Committee, and met Babu Rajendra Prasad and explained the situation to him. They all then saw Mahatma Gandhi at Shrigaon, but he refused to give them any advice in the matter, as he had refused to give any advice to Dr. Khare on previous occasions in respect of the differences amongst the Ministers.

Babu Rajendra Prasad, however, advised the Ministers to explain to the Governor their relationship with the Parliamentary Sub-Committee and the Working Committee and to ask for time till the 23rd July and not to tender it, if he insisted on their resignation in spite of their explanation. Babu Rajendra Prasad wrote letters to Dr. Khare, Mr. Gole and Mr. Deshmukh, as also to Mr. Shukla, Mr. Mishra and Mr. Mehta in terms of this advice. He advised Dr. Khare not to precipitate matters and to wait till the meeting of the Working Committee on the 23rd of July. He pointed out that the members of the Parliamentary Sub-Committee would all be at Wardha on the 22nd of July and there was no reason for any precipitate action. He suggested to him to withdraw his resignation or at any rate to ask the Governor to hold it in abeyance.

In his letter to Messrs. Deshmukh and Gole, he advised them also not to precipitate matters and to withdraw their resignations. It was ten o'clock at night when these letters were completed and made over to Thakur Chhedilal to be delivered to the addressees. A telephonic message was sent by Thakur Chhedilal from Wardha to Dr. Khare at Nagpur that an important communication was being sent to him. This message was received by Dr. Khare in the presence of Messrs Gole and Deshmukh.

On arrival at Nagpur shortly after midnight, Thakur Chhedilal went to the house of Dr. Khare where he met Messrs Gole and Deshmukh and delivered the letters addressed to them. He could not deliver the letter to Dr. Khare as he was told that Dr. Khare was not in the house. He returned some time later and learnt from Dr. Khare's chauffeur that the Doctor was at home. Thakur Chhedilal waited till about 2 a.m. when a messenger from the Government House came with some communication for Dr. Khare, which was received by Dr. Khare's son. Seeing this, Thakur Chhedilal requested Dr. Khare's son to receive the letter which he had brought from Babu Rajendra Prasad, but he refused to do so. Dr. Khare's son says that he refused to take it as Thakur Chhedilal insisted upon a receipt.

Messrs Shukla, Mishra and Mehta saw the Governor by appointment about 2 o'clock at night, and explained their reason for refusal to tender their resignations. Thereupon, their services were terminated by the Governor, and they were informed of it at 5 early in the morning on the 21st. A new Ministry was formed by Dr. Khare and the oath of office was taken by such of the Ministers as were available some time in the forenoon of the 21st.

When the members of the Parliamentary Sub-Committee arrived at Wardha on the morning of the 22nd, they came to know of what had happened, and immediately wired to Nagpur requesting Dr. Khare and his now colleagues as also the dismissed Ministers to meet them in the evening at Wardha. Accordingly they came. The President of the Congress had also arrived by then. The President, the Parliamentary Sub-Committee and some of the other members of the Working Committee who had also arrived met Dr. Khare, Messrs Deshmukh, Gole and Thakur Pyarelal and ascertained from them what had happened at Nagpur. The presidents of the Vidarbha and Mahakoshal Provincial Congress Committees were also present.

It was disclosed at the meeting that Dr. Khare had sent a messenger to Thakur Pyarelal Singh as far back as the 17th to inquire if he was willing to join a new Cabinet. From this, it is clear that after assuring Sardar Vallabhbhai Patel on the 15th that no precipitate action would be taken and that he would keep him informed of developments, Dr. Khare had set about looking for persons in place of Paadit Shukla and others.

Thakur Pyarelal Singh wrote to him on the 18th giving his consent to join a new

Cabinet. Dr. Khare admitted to the Parliamentary Sub-Committee that he met the Governor's secretary on the 19th and informed him of his intention to resign and his readiness to form a new Cabinet.

Dr. Khare did all this without letting his colleagues or the Parliamentary Sub-Committee or the Presidents of the Provincial Congress Committees know anything about his plans. It was only after getting the consent of Thakur Pyarelal Singh that he wrote to Messrs Shukla, Mehta and Mishra communicating his intention to resign and asking for an assurance that they would also resign. It was also disclosed by Thakur Pyarelal Singh that on the morning of the 22nd, before he agreed to take his oath of office, extracts from a letter purporting to have been written by Sardar Vallabhbhai Patel were read out to him by Dr. Khare in order to assure him that he was doing nothing wrong in joining Dr. Khare's new Cabinet. The letter is said to have contained directions to the addressees to follow the party leader. As Sardar Vallabhbhai Patel had no recollection of having written such a letter, Dr. Khare, on being questioned, said that in the month of May, such a letter was written to some person in connection with a Municipal Board dispute.

When all these facts were brought out in the presence of Dr. Khare and his colleagues, it was pointed out to Dr. Khare that his actions had been unworthy of a person in his position. He and his colleagues were asked if they could see the mischief and the mistake and if they did so, what they would do to rectify it. They retired to a separate room for consultation amongst themselves. On their return, Dr. Khare admitted the error and expressed his willingness to resign his Premiership. His colleagues undertook to do likewise. Thakur Pyarelal Singh made a draft which in substance was the same as the letter of resignation sent to the Governor on the 23rd. Dr. Khare communicated his decision on the telephone to the Secretary to the Governor before he left for Nagpur at midnight. On the morning of the 23rd July, Dr. Khare sent his letter of resignation to the Governor and informed the Parliamentary Sub-Committee that he had done so.

When the Working Committee met on the 23rd it was felt that Dr. Khare should be invited again to discuss the position and accordingly he met the Working Committee in the afternoon. It was suggested to him that a special meeting of the party should be called to discuss the situation to consider his resignation of the party leadership and to elect a Leader. He agreed to do so, and issued a notice convening a meeting of the party on the 27th to transact the above business. At the same time, Dr. Khare expressed his intention to stand as a candidate for the leadership.

The President and the members of the Working Committee advised him to give up his intention in his own interest. Dr. Khare was, however, unbending and left no doubt in the mind of the Working Committee that he would stand as a candidate.

On the 25th July, Dr. Khare was again invited and once more advised to give up his intention to contest the election. When he still refused, he was advised to see Gandhiji at Shegaon, which he did in company with the President and some members of the Committee. After discussion he seemed agreeable not to stand for election, and himself wrote out a draft statement. Gandhiji made some corrections and additions. Dr. Khare then hesitated and he was also advised not to do anything in a hurry but to consult his friends and let the Working Committee know his final decision by 3 o'clock in the afternoon of the 26th July.

On the 26th July at 3 p. m. Dr. Khare sent a telephonic message stating that he was not agreeable to issuing any statement in terms of the previous night's draft, but that he was sending a reply with Mr. Deshmukh who would reach Wardha about 5-45 p. m. by the Bombay mail. The Working Committee waited till about 7 o'clock, and then finally adopted the resolutions which have been published. Dr. Khare's letter was received about 8 o'clock.

The above narrative of events relating to the crisis explains the facts and circumstances which influenced the decision of the Working Committee. It is clear that even after the Pachmarhi compromise good relations were not maintained among the Ministers. Complaints of breaches of its terms by Dr. Khare were made to Sardar Vallabhbhai Patel. Some of them appeared to be obvious breaches, but he urged that no precipitate action should be taken and tried to secure a due fulfilment of the compromise. Matters came to a head among the Ministers and two of

them, namely, Messrs Deshmukh and Gole resigned on the 13th July. Dr. Khare did not inform the Parliamentary Sub-Committee of their resignations. On the contrary, on the 15th July, he wrote to Sardar Vallabhbhai Patel assuring him that no precipitate action would be taken and that he would keep him informed of developments. After writing this letter on the 15th, he set about looking for new Ministers whom he could get appointed in place of those whom he wanted to get rid of, and sent a messenger to Thakur Pyarelal Singh on the 17th, and this without informing his colleagues or the Parliamentary Sub-Committee. When he had found such persons, he informed the Governor's Secretary of his intention to reshuffle the Cabinet, and wrote to his colleagues on the 19th intimating his intention to resign and asking for assurances that they would do likewise. On the 20th July, he actually resigned.

Until this time he gave no information to the Parliamentary Sub-Committee or to the Working Committee and the only intimation he gave was by a telegram addressed to Sardar Vallabhbhai Patel at Bombay on the evening of 20th after his resignation had become accomplished fact. As Sardar Vallabhbhai Patel was at Ahmedabad on account of a public engagement which had been widely advertised, he got this telegram only on his return to Bombay on the 21st after the new Ministry had been appointed.

The Working Committee had no doubt in its mind that Dr. Khare was anxious to get rid of some of his old colleagues with whom he had entered into a compromise at Pachmarhi, and without giving them any intimation, found out substitutes for them and after lulling the Chairman of the Parliamentary Sub-Committee into a sense of security that no precipitate action would be taken and that he would keep him informed of developments, he tried and succeeded in securing the removal of his inconvenient colleagues with the help of the Governor, keeping the Congress authorities all the time in the dark. Dr. Khare also received a requisition from some of the members of the party to convene a meeting of the party, but he took no action on it. He wanted to and did present the Working Committee and the party a Ministry of his own choice, from which three of his erst-while colleagues were excluded—and all this was done in less than two days before the Working Committee meeting. The Working Committee would have failed in its duty if it had refused to take notice of such a conduct and done any thing less than it did.

#### GANDHIJI'S STATEMENT

Press cuttings on the Ministerial crisis in the Central Provinces make most instructive reading. That the resolution of the Working Committee condemning the action of a veteran leader like Dr. Khare, would come in for some severe criticism, was a foregone conclusion. But I was not prepared for the ignorance betrayed by the critics on the functions of the Working Committee.

Dr. Khare was not only guilty of gross indiscipline in flouting the warnings of the Parliamentary Boards, but he betrayed incompetence as a Leader by allowing himself to be fooled by the Governor, or not knowing that by his precipitate action he was compromising the Congress. He heightened the measure of indiscipline by refusing the advice of the Working Committee to make a frank confession of his guilt and to withdraw from the Leadership. The Working Committee would have been guilty of a gross neglect of duty if it had failed to condemn Dr. Khare's action and adjudge his incompetence.

I write these lines in sorrow. It was no pleasure to me to advise the Working Committee to pass the resolution it did. Dr. Khare is a friend. He has run to my aid as a physician when quick medical assistance was needed. He has often come to me for advice and guidance and has expressed himself to be in need of my blessings.

I banked on this friendship when on the 25th ultimo, I appealed to him bravely to stand down and work as a campfollower. He himself seemed to be willing but he was badly advised and not only declined to accept the Working Committee's advice but sent a letter instead, questioning the propriety of the whole of the action of the Working Committee in connection with his ill-advised and hasty resignation of office and equally hasty formation of a new Cabinet.

I hope that on mature reflection he would have seen the error of his conduct and taken the action of the Working Committee in a sportsmanlike spirit. There is no moral turpitude involved in his action. He is a good fighter. He is free with

his purse in helping friends. There are qualities of which anyone may be proud. But these qualities need not make the possessor a good Prime Minister or administrator. I would urge him as a friend to work for the time being as a camp-follower and give the Congress the benefit of the admitted qualities I have recited.

If Dr. Khare was impatient of his recalcitrant colleagues, he should have rushed not to the Governor, but to the Working Committee and tendered his resignation. If he felt aggrieved by its decision, he could have gone to the A.I.C.C. But in no case could any Minister take internal quarrels to the Governor and seek relief through him without the previous consent of the Working Committee. If the Congress machinery is slow-moving, it can be made to move faster. If the men at the helm are self-seekers or worthless, the A. I. C. C., is there to remove them. Dr. Khare erred grievously in ignoring or, what is worse, not knowing this simple remedy and rushing to the Governor on the eve of the meeting of the Working Committee to end his agony.

It is suggested that the men who succeed him are self-seekers and incapable, and can make no approach to Dr. Khare in character. If they are as they have been portrayed by their critics, they are bound to fail in the discharge of the onerous responsibility they have undertaken. But here again the Working Committee has to work within the limits prescribed for it. It cannot impose Ministers on a Province. After all, they are elected members, and if the Party that has the power to elect them chooses to do so, the Working Committee has no authority to interfere so long as they remain under discipline and are not known to be persons unworthy of public confidence.

But the crisis could surely put the Ministers on their mettle. It is up to them to show by their conduct that the charges levelled against them are baseless, and that they are capable of discharging their trust ably and selflessly.

It speaks well for the impartiality of the Indian press in that several journals found it necessary to condemn the action of the Working Committee in pronouncing the opinion it did on the part that H. E. the Governor of the Central Provinces played during the unfortunate crisis. I am not in the habit of hastily judging opponents. The criticism of the resolution has left me unconvinced of any injustice done to the Governor by it. In estimating his action, time is of the essence. In accepting the resignations of Dr. Khare and his two colleagues, in demanding their resignations from the other three Ministers, in expecting an immediate answer, in summarily rejecting their explanation and dismissing them, and for this purpose keeping himself, his staff and the poor Ministers awake almost the whole night, the Governor betrayed a haste which I can only call indecent. Nothing would have been lost if instead of accepting Dr. Khare's resignation there and then, he had awaited the meeting of the Working Committee which was to meet two days after the strange drama. In dealing with a similar crisis, the Bengal Governor acted differently from the C. P. Governor.

Of course, the Governor's action conformed to the letter of the law, but it killed the spirit of the tacit compact between the British Government and the Congress. Let the critics of the Working Committee's action read the Viceroy's carefully prepared declaration which, among other declarations, induced the Working Committee to try the office experiment, and ask themselves whether the Governor was not bound to take official notice of what was going on between the Working Committee and Dr. Khare and his colleagues. These indisputable facts lead one to the irresistible conclusion that the Governor, in his eagerness to discredit the Congress, kept a vigil and brought about a situation which, he knew, was to be uncomfortable for the Congress. The unwritten compact between the British Government and the Congress is a Gentleman's Agreement, in which both are expected to play the game.

The resolution, therefore, gives English administrators more credit than evidently the critics would give. Englishmen are sportsmen. They have an ample sense of humour. They can hit hard and take a beating also in good grace. I have no doubt that the Governor will take the Congress resolution in good part.

But whether he does so or not, the Working Committee was bound to express what it felt about the Governor's action. It wishes to avoid a fight if it can; it will take it up, if it must. If a fight is to be avoided, the Governors must recognise the Congress as the one national organisation that is bound some day or other to replace the British Government. The U. P., Bihar and Orissa Governors waited for the Congress lead when a crisis faced them. No doubt, in the three cases, it was obviously to their interest to do so. Is it to be said that in C. P., it was obviously to the

British interest to precipitate the crisis in order to discomfit the Congress? The Working Committee's resolution is a friendly warning to the British Government that if they wish to avoid an open rupture with the Congress, the powers that be should not allow a repetition of what happened at Nagpur on the night of 20th July.

Let us understand the functions of the Congress. For internal growth and administration, it is as good a democratic organisation as any to be found in the world but this democratic organisation has been brought into being to fight the greatest imperialist power living. For this external work, therefore, it has to be likened to an army. As such, it ceases to be democratic. The central authority possesses plenary powers, enabling it to impose and enforce discipline on the various units working under it. Provincial organisations and Provincial Parliamentary Boards are subject to the Central authority.

It has been suggested that, whilst my thesis holds good when there is active war in the shape of civil resistance going on, it cannot, whilst the latter remains under suspension. But suspension of Civil Disobedience does not mean suspension of war. The latter can only end when India has a constitution of her own making. Till then the Congress must be in the nature of an army. Democratic Britain has set up an ingenious system in India which, when you look at it in its nakedness, is nothing but a highly organised efficient military control. It is not less so under the present Government of India Act. The Ministers are mere puppets so far as the real control is concerned. The Collectors and the police who "Sir" them to-day, may at a mere command from the Governors, their real masters, unseat the Ministers, arrest them and put them in a lock-up. Hence it is that I have suggested that the Congress has entered upon office not to work the Act in the manner expected by the framers but in a manner so as to hasten the day of substituting it by a genuine Act of India's own coining.

Therefore, the Congress, conceived as a fighting machine, has to centralise control and guide every department and every Congressman, however highly placed, and expect unquestioned obedience. The fight cannot be fought on any other terms. They say this is Fascism pure and simple, but they forget that Fascism is the naked sword. Under it, Dr. Khare should lose his head. The Congress is the very antithesis of Fascism, because it is based on non-violence pure and undefiled. Its sanctions are all moral. Its authority is not derived from the control of panoplied Black-Shirts. Under the Congress regime, Dr. Khare can remain the hero of Nagpur, and the students and citizens of Nagpur, and for that matter other places, may execrate me and the Working Committee without a hair of the demonstrators' heads being touched so long as they remain non-violent.

That is the glory and strength of the Congress, not its weakness. Its authority is derived from that non-violent attitude. It is the only purely non-violent political organisation of importance, to my knowledge, throughout the world. And let it continue to be the boast of the Congress that it can command the willing and hearty obedience from its followers, even veterans like Dr. Khare, so long as they choose to belong to it.

### **Congress President Attacked By Muslim Leaguers**

In the course of his presidential tour in the Chittagong division, East Bengal Shri Subhas Chandra Bose arrived at Brahmanbaria on the 15th June. Despite the hostile propaganda carried on by the Muslim Leaguers there was an enormous crowd of Muslims and others at the station to give him a fitting reception. The President in his car was taken in a huge procession of more than ten thousand, including ladies and Muslim volunteers. This exasperated a crowd of Muslim Leaguers so much that they lost all restraint and decency and started throwing brickbats as the procession passed along the station road and turned to the left. As a result of this the Congress President received some minor injuries. Fourteen other persons who were about him also received injuries. The Congress President issued the following statement shortly after the occurrence :

"After I had issued a statement yesterday at Brahmanbaria regarding the action of certain local Moslems when our procession was passing along, I addressed a mass meeting the grandest held during my tour of Chittagong division. It was a fine

gathering, at least half being composed of Moslems. I then realised why a certain section of Moslems were so anxious that I should not visit Brahmanbaria, why they were so nervous about propaganda by the Congress. I was shown a number of leaflets distributed by these Moslems containing false and malicious allegations against the Congress. One leaflet stated that the Congress was out to establish a Hindu Raj, enslaving nine crores of Moslems, and that in all Congress administered provinces the life, property, religion and honour of Moslems was in grave jeopardy. The leaflet further stated that the Congress party was responsible for preventing the introduction of the Bengal Tenancy Act Amendment Bill recently passed by the Bengal Legislature. I challenged the local Moslem Leaguers to prove either of those false allegations. Regarding the Bengal Tenancy Act, it was because of the Ministry that was spineless that it had not been assented to by the Governor. If they had manliness which Congress Ministries in U. P., Bihar and Orissa had demonstrated, then surely the Bengal Governor would not dare veto the bill.

"Regarding the false allegations against Congress Ministries, I reminded the audience that several months ago Maulana Abul Kalam Azad had publicly challenged the Bengal Premier to prove his allegations but no reply was forthcoming so far. I further added that the Congress party was opposing the present Ministry not because there were six Moslem Ministers but because it was worthless. If there were eleven worthy patriotic Moslem Ministers the Congress would not raise its little finger by way of opposition. Likewise, if there were eleven worthless Hindus as Ministers, the Congress would continue its relentless opposition to the Hindu Ministry.

"There was a pindrop silence throughout the meeting and the entire audience endorsed all what I said. In conclusion I warned those Moslems not to resort to such mean tactics. I assured them that the Congress would continue to work out its programme."

The President also issued the following statement to the Associated Press on the day following :

"To-day is practically the last day of my tour in the Chittagong Division, namely, the districts of Chittagong, Noakhali and Tipperah where the overwhelming majority of the population are Muslims by faith. After my visit to Chittagong and Noakhali, I thought that nothing could beat the right royal reception which had been arranged on the occasion of my visit. Covert attempts were made by the interested people to interfere with the arrangements for the reception. But the only effect was to further stimulate the enthusiasm of the citizens, a large percentage of whom are Muslims. Tipperah's record, however, easily beat that of Chittagong and Noakhali. This made the Muslim Leaguers all the more ferocious. But wherever they tried to interfere with this arrangement for reception by preaching boycott and distributing leaflets, popular enthusiasm increased proportionately. Tipperah being the district of the largest percentage of the Congress-minded Muslims, the latter took a prominent part in all the functions that were arranged by the District Congress Committee. A few black flags and some vociferous urchins appearing against a background of tumultuous mass enthusiasm served only to expose the real following of the Muslim League.

The reception which Brahmanbaria gave me this morning was in keeping with the best tradition of Tipperah and this exasperated the Muslim Leaguers so much so that they literally ran amok. When the procession with my car in the middle passed along the Station Road and turned to the left, a crowd of Muslim Leaguers began throwing brickbats as the result of which several of us, about 15 in number, were injured including Maulvi Ashrafuddin Ahmed Chaudhury, the Secretary of the B. P. C. C., S. J. Bhuvan Behari Bardhan, Secretary of the Reception Committee, S. J. Benoy Bhusan Bardhan, S. J. Makhan Roy S. J. Manoranjan Roy, S. J. Rabi Nag, S. J. Phanindra Dutta and myself.

"This type of hooliganism is the culmination of the highly objectionable activities of the Muslim Leaguers in different parts of Tipperah district which I had noticed during the last few days. This activity included manifestly false and malicious propaganda against the Congress Ministries relating to their treatment of the Muslims in their respective provinces. I feel that the position has become so serious in several provinces in India that it is necessary for me to sound a note of warning. Let me clearly tell all those concerned that no amount of brickbat-throwing or even

rioting will make us swerve one inch from our fundamental principles and policy or from the path that we have chalked out for ourselves. Rather every brickbat thrown at us will be a milestone in our march towards our cherished goal.

"To my co-workers in the Congress I want to give a friendly piece of advice. I am afraid that as the influence of the Congress among the masses increases from day to day Muslim Leaguers may possibly feel exasperated and run amuck as they did at Brahmanbaria. But we must firmly resolve to meet their fury with our patience, their hooliganism with our self-control, their hatred with our love. Then only shall we be able to prove ourselves faithful to our creed of Truth and Non-violence.

### The President's Tour

The President had a strenuous tour through East Bengal lasting from June 4 to June 18. Both in towns and in the interior he was greeted by enormous crowds of men of all communities who assembled to listen to the message of the Congress. East Bengal and especially the rural areas have a predominantly Muslim population but everywhere the President had warm and spontaneous reception. "The response I received from the Muslim public", said the president in the course of a press statement "exceeded my fondest hopes and I have come back with the confidence and certainty that like the Justioites of Madras and Non-Brahmans of Bombay Presidency the Muslims of Bengal will before long be all inside the Congress." In his speeches the Congress President laid stress on the growing strength of the Congress and the growing weakness and disintegration of its opponent the British Empire. The invariable refrain of the Congress President's utterances was the need for greater discipline, greater organisation and greater mass contact to take full advantage of both the internal strength of the nation and the growing weakness of the opponent's position.

### Pandit Jawaharlal In Europe

Pandit Jawaharlal sailed from Bombay on June 2. At Massawa (in Italian Somaliland) the first port of call, a large number of Indian merchants (Hindu and Muslims) were present on the quay to give him a rousing welcome. A deputation waited on him and acquainted him with their disabilities. They expressed their faith in the Congress and their sense of solidarity with Indian struggle for freedom.

In response to a marconigram from Cairo Pandit Nehru disembarked at Suez and met Nahas Pasha and other Wafdist Leaders at Alexandria. They had a long talk ranging over a variety of subjects, Egypt, India, International situation etc. The Wafdist leaders were greatly impressed, the way the Indian National Movement has grown and developed and acquired its present powerful position. Pandit Nehru extended a cordial invitation on behalf of the Congress to Nahas Pasha and other Wafdist leaders to visit India and attend if possible the annual session of the Indian National Congress.

Almost the first thing Pandit Nehru did on reaching Europe was to go straight to Barcelona (Spain) and make a close study of the Spanish situation. He met several members of the Cabinet and other republican leaders. He had the painful experience of witnessing during the time he was there the pitiless bombing from the air. The marvellous composure of the civil population in the midst of this daily bombardment made a deep impression on him.

From Barcelona Pandit Jawaharlal went to Paris where he made a broadcast speech in which he expounded briefly the ideals of the Indian National Movement and pleaded for French sympathy and good-will.

A strenuous programme of meetings, interviews, talks and addresses awaited him in England. In all his utterances Pandit Nehru emphasised the close interdependence of the various movements for freedom that were going on in Spain, China, India and other parts of the world. It was a common adventure, the fight against imperialism, in which peoples all over the world were engaged in order to secure tolerable standards of living.

Pandit Nehru was invited to a large number of interviews with prominent politicians in the country in which he explained with his accustomed vigour and lucidity India's case for full Independence.

His last public engagement in England was on July 17 when he stood on the plinth of Nelson's Column in Trafalgar Square, dressed in khudiar and addressed a mass demonstration in connection with the second anniversary of the war in Spain. "Fascism is now to you" he said, "but we have been experiencing it for the last 150 years and so we know what Spain and China are going through. We support them because we admire their qualities for fighting day in and day out and not compromising. We draw the lesson from them and we shall not compromise with British Imperialism which stands for naked domination and not suppression of fascism in India."

Pandit Jawaharlal made a moving speech at the International conference against the bombardment of open towns held in Paris in the third week of July.

### Repression

The following are some of the cases of arrests, convictions, internments, externments, searches, gagging orders and the like compiled from the daily Press and the bulletins of the Civil Liberties Union.

#### IN BENGAL—

1. Mr. Indra Singh Girwal, Secretary of the Water Transport Workers' Union was arrested on May 7, under Section 124-A I. P. C. for having delivered a speech at a labour meeting on March 14, last.

2. It is reported that the Sub-Divisional Officer, Ulubaria, Howrah (Calcutta) has served notice under Sec 144 Cr. P. C. on 65 Congress and Peasant Workers in several villages of the sub-division restricting their movements and activities.

9. The offices of the "Ananda Bazar Patrika" and Anand Press where the paper is published were searched on May 10 last by Calcutta police on a warrant issued under Section 124-A I. P. C. in connection with the publication of a news item on March 2 last under the caption "The condition of Political Prisoners".

4. Mr. Makhanlal Sen, General Manager of the Ananda Bazar Patrika, Calcutta was sentenced on May 30 under Section 124-A, I. P. C. to four months' rigorous imprisonment and a fine of Rs. 250.

5. A charge under Section 124-A (sedition) was framed on June 7 against Mr. Satyendra Chandra Majumdar, Editor and Mr. Suresh Chandra Bhattacharjee, Printer and Publisher of the Ananda Bazar Patrika for editing, printing and publishing an article in the issue of March 2 last entitled "The condition of Political Prisoners in Midnapore Jail."

6. Mr. Birendra Nath Chakravarty of Serajganj, a recently released detenu, has been served with a notice by the Local Intelligence Branch asking him not to associate with any person or association connected with the subversive movement against the Government.

7. A number of released detenues of Rajshahi have been warned by the Superintendent of Police to notify their change of residence in case of temporary absence within 24 hours. A released detenu who leaves his usual residence for a period of 24 hours or more or when such period of absence falls between sunset and sunrise must report his change of address.

8. An order was served on May 2 by the Bengal Government on Mr. Sachindranath Sanyal, ex-Kakori case prisoner prohibiting his entry, residence and stay in Bengal for an indefinite period.

9. Sachindranath Bakshi, ex-Kakori case prisoner was served with an order under the Bengal Criminal Law Amendment Act on May 17 externing him from the province.

10. Similar orders it is reported have been served by the Bengal Government on the other ex-prisoners, Messrs. Jogesh Chandra Chatterjee, Bhupendra Nath Sanyal, Manmohan Nath Gupta and Govindo Charan Kar.

11. Mr. Jogendra Shukla, one of the political prisoners recently released by the Bihar Government was served with an order on May 28 by the Bengal Government under the Bengal Criminal Law Amendment Act prohibiting entry in the province.

12. Sardar Mehar Singh was arrested on June 20 on a charge of sedition in connection with a speech delivered by him at a recent meeting of the Calcutta Gurdwar Committee at Ballyganj.

13. Processes under Section 107 Cr. P. C. were served on June 14 against Dr. Aftab Ali, M.L.A., President of the Indian Seamen's Committee, Calcutta and forty-one others directing them to show cause why they should not execute a bond of Rs. 500 with two sureties of the like amount to keep the peace for a period of one year. They were further ordered to furnish a bail of Rs. 500 each to keep the peace till the pending of the case.

14. 17 Kisan workers of Erbang Kisan Sangha in Gopo are being tried for alleged fomenting of class hatred by organising a Krushak Sangh.

15. Mr. Shekharnath Ganguli and Mr. Rajkumar Sinha, both Kisan Sabha workers are being prosecuted under Section 108 C. P. C. for delivering of speeches<sup>a</sup> alleged to excite feeling of enmity between different classes of people at a Youth League meeting on May 28th last.

16. Fifteen more persons enrolled as workers have been prosecuted under the same section for alleged activities in the country-side calculated to cause breach of peace.

17. An order under Section 144 C. P. C. has been promulgated by the Sub-Divisional Magistrate of Sadar, Midnapore (Bengal) prohibiting the holding of any meeting within the area of Kharagpur town police.

18. Mr. Birendra Bhattachayya, leader of a students organisation was charged with sedition on July 8 in connection with a speech alleged to have been delivered by the accused at a meeting held on February 8 last in Calcutta on the question of the release of political prisoners.

19. The Bengal Government have served an order under the Bengal Criminal Law Amendment Act on Mr. Bhupendra Nath Sanyal, ex-Kakori case prisoner, prohibiting his entry or stay at his residence in Bengal.

20. Mr. Niranjan Sen of Barisal, one of the repatriates from the Andamans has been recently interned in P. S. Ranibandh of the Bankura District.

21. Detenu Prafulla Chanda Kundu reported to be suffering from various chronic complaints has been interned in village Himtabad in the district of Dinajpore.

22. Four strikers of the Kulti Works, Asansol, Bengal, were convicted for restraining a local worker of the Company.

23. A number of strikers of the local workshop of Messrs Burn and Co., Ranegung, were taken into custody by the Bengal Police on July 2nd. A criminal case has been started against one of them.

#### DELHI—

1. Srimati Satyavati, a prominent Congress Socialist, has been ordered to furnish a security of Rs. 500 for one year or in default to undergo simple imprisonment for delivering an alleged seditious speech at a village near Delhi.

2. An externment order has been served on Mr. Chamanlal Azad of Batala (Punjab) a Regulation III prisoner recently released requiring him to leave Delhi Province within 24 hours.

3. Mr. Ramjilal, a prominent political worker of Ajmere, who was for sometime in Delhi was served with an order asking him to leave Delhi Province within 12 hours as "he has acted in a manner prejudicial to public peace."

4. Mr. Hukam Singh, Assistant Secretary, Delhi District Congress Committee has been served with a notice that he should abstain from all political agitation and not to take part in any meeting or procession for one year.

5. An externment order has been served on Mr. Shambehari Singh, a local Congress worker, under Section 3 of the Punjab Criminal Law Amendment Act, directing him to remove himself within twenty four hours from the Delhi province and to return back.

6. Reports are to hand of several other externment and internment orders of prosecution in connection with the Birla Mills Strike and close watching of political workers by the Secret Service Police.

**MADRAS—**

Five picketers of the Diocesan Press, Madras and ten of the Jamal Glass Works, Tenaliarpet, Madras, were arrested for picketing.

2. The Sub-Magistrate, Marsapur has served orders on Mr. A. Lukshmiiah, an elementary teacher and 35 others prohibiting them from entering Kalipatnam for a period of two months from June 20.

3. The Chief Presidency Magistrate, Madras framed charges on July 6 against ten strikers of the Choolai Textile Mills under Section 7 (11), Police Act, for causing obstruction to traffic. They were arrested while picketing in front of the Mills.

4. Eighteen workers of Diocesan Press, Madras, were sentenced to three weeks' imprisonment on the same charge.

**N. W. F. P.—**

1. Hazara police is alleged to have raided a number of Congress Offices in the rural areas seizing Congress registers and occupying the Congress stage at Gada-Sherwar village where a public meeting was being held.

**PUNJAB—**

1. An advance security of Rs. 1,000 was, it is learnt, demanded from Mr. Dharam Vir Kohili who filed a declaration for bringing out the "Awaz," a new Urdu daily from Rawalpindi.

2. A security of Rs. 500 has been demanded from the Hindi "Milap" on the ground that the paper published an article entitled "Hissar riots" in its issue of March 30.

3. Another security on the same ground has been demanded from the Vir Milap Press where the Hindu "Milap" is published.

4. Sardar Uzzagar Singh Bhora, Vice-President of the Congress Committee Raekoto, and General Secretary of the Punjab Ryasti Praja Mandal, was arrested on May 7, under Section 124A-153-A I. P. C.

5. Baba Ishar Singh Marhano, President, Durbar Sahib Committee, was arrested on May 7, under Section 124A I. P. C. for an alleged seditious speech at a public meeting held in the village of Jaunsahar on April 5 last.

6. Sardar Pala Singh, a Granthi (priest) at the Gurdwara of Sansra was arrested in Amritsar District under Section 124A (Sedition).

7. Sardar Labh Singh, an Akali leader of Fattonganga was arrested on charge of sedition under the same Section 124A.

8. Mr. Radhashyam, a Congress worker was arrested on May 7th under Section 124A in connection with a speech alleged to have been delivered by him at a Conference held in Smukhana in April last.

9. Messrs Jawala Singh, Charan Singh and Didar, Socialists of the Punjab have been convicted of rioting and sentenced each of them to six months' rigorous imprisonment. The charge against them is that they organised a campaign against "bogar" (forced labour).

10. Mr. Kundanlal has been convicted under Secs. 302 and 117 of the Cr. Penal Code and sentenced to three years' imprisonment each count for reciting a poem which was alleged to be advocating violence.

11. Mr. Abdul Wasi, former Secretary of the Majlis-i-Ahrar was fined Rs. 30 for alleged incitement to police against the government in the course of a speech made on January 5 last.

12. The Police raided on May 10 last the Dwarkadas Library located in Lajpat Rai Bhavan and carried away a few books on Socialism and Communism.

13. The office of the District Kisan (Peasant) Committee at Phangali, fifteen miles from Lahore, was raided by the Lahore police on May 2.

14. A number of houses in Bannu were searched by the police on May 5 without finding anything incriminating.

15. Issue No. 9, volume I, dated 24th April 1938 of the Gurmukhi "Kirti Lohar," Meerut, printed and published by Mubarak Baghar was proscribed.

16. Jullundar police raided on June 6 the house of Mr. Tirath Ram, Secretary, Congress Committee, Kartarpur, in search of proscribed literature believed to have been brought in from other provinces.

17. Batala police searched the local Ahrar Office and the house of Haji Abdul Rahman, Municipal Commissioner, Mr. Mohamed Shouque and two others in connection with a booklet "Yad Baftgar" published by the local Ahrars.

18. Dr. Burbax Singh Sant, a prominent Congress worker was arrested on May 2 by Amritsar police on a charge of alleged sedition under Section 124-A of the Indian Penal Code in connection with a speech which he had delivered in the village of Harsa Chhina on 4th April last.

19. Mr. Tikka Ram Sukhan, Secretary, Punjab Provincial Socialist Party, was arrested on May 9 by Amritsar police for an alleged objectionable speech delivered by him recently at Moga.

20. Mr. Arjundeve Kapur, Chairman, Doaba Political Conference, Mr. Shivraj Kapur, Chairman, Political Prisoners' Relief Conference and Mr. Vishnu Dutt, Chairman, Students' Conference to be held at Banga from 24th to 26th June were arrested on the 7th instant under Section 382 I. P. C. (causing hurt to deter public servant from duty).

21. Ch. Gharib Ram, a leading Congress worker in Sonapat Tahsil has been served with a notice by the District Magistrate to appear before him on June 2. Mr. Ram had visited several villages in the District for Congress propaganda.

22. Pandit Saig Ram Prasher, General Secretary, Congress Socialist Party, Hoshiarpur has been served with a notice by the District Magistrate to appear before him on June 1 in connection with the annual report of the Party.

23. Messrs Thandon, Madangopal, Ghulal, Pirasdhil, Barkhandilal, Gangaram, Umrao Singh, members of Model Congress Committee, are under arrest on a charge of rioting.

24. Chaudhuri Mohammed Abdul Rahaman, a member of the Punjab Assembly and nine other Congress workers have been arrested under Section 342 I. P. C. (wrongful confinement).

25. Shaikh Hisam-ud-din, Congress Municipal Commissioner of Amritsar (Punjab) was sentenced on June 13, under section 124-A by the District Magistrate, Ludhiana.

26. Charges were framed on June 13 against Sardar Wazir Singh under Section 124-A for making an alleged seditious speech on April 5.

27. A notice under Section 108 C. P. C. is reported to have been served on Mr. Shiva Kumar Shukla, a member of the Youth League of Unao (Punjab) for disseminating matter calculated to excite feelings of enmity and hatred between different classes of people and eulogising violence. He had been asked to execute a personal bond of Rs. 5,000 and two sureties of the like amount each.

28. Mr. Abdul Ghafur Taish, President of the Labour Federation and Mr. Safi Ghulam Mohammed Turk, a worker of the Labour Federation are being tried by the District Magistrate, Amritsar, for security proceedings under Section 107 C. P. C. for alleged apprehension of the breach of peace.

29. An advance security of Rs. 1,000 was demanded last May from Master Kabul Singh, M. L. A. who filed a declaration with the District Magistrate of Lahore for starting a weekly paper under the name "Loll Mitter."

30. The Punjab Government have proscribed under Section 4 of the Indian Press Emergency Power Act a pamphlet in Urdu entitled "intibahush-shia be aqwaal-ul-aimmutal mirzayyal" written by Maulvi Ghulam Haidar on the ground that it contained matter punishable under Section 4 of the Indian Press (Emergency Power) Act, 1931 and the Criminal Law Amendment Act, 1932.

31. A pamphlet in Urdu "Yad Raftgar" by Rahmat Ullah Mauhajir, Batala, has also been proscribed.

32. A similar security of Rs. 300 was demanded by the same Government from Mr. Lalechand Ikhtar who filed a declaration for starting a magazine "Abimsa".

33. An advance security of Rs. 1,000 was demanded from Sardar Guman Singh, a worker of the Volunteer Training camp who applied for a declaration of a weekly Paper.

34. Babu Isharsingh Marhanna, President of the Golden Temple Managing Committee was sentenced on July 11 to one year's rigorous imprisonment under Section 124-A, I. P. C.

35. Charges were framed on June 20 against Sardar Kapur Singh under Section 124-A, I. P. C. for alleged seditious speeches made by him in April last.

36. Teja Singh Swatanter who is serving his term has been disallowed as a defence witness by the Court in the seditious case against Gyani Shankar, a prominent Congress worker of Amritsar. Mr. Shanker Singh has therefore decided not to take part in the further proceedings of the case.

37. M. L. Sardarilal, a Congress worker of Lahore was arrested while announcing by beat of drum in a carriage at a public meeting. He is being prosecuted under Section 34 of the Police Act for alleged obstruction to traffic.

38. Mr. Probodh Chandra, a delegate to the second World Youth Congress, has been denied a passport by the Punjab Government. Discussion in the Provincial Assembly was disallowed on the ground that this is not primarily the concern of the Local Government.

39. Mr. Chaman Lal Azad, a prominent Congress worker of the Punjab is being detained for two months in Lahore under the Punjab Criminal Law Amendment Act.

*SINDH—*

Maulana Lal Hussan Akhtar of Lahore, who arrived in Sindh during the first week of May, was served with an order directing him not to address any public meeting at Sukkur on the alleged fear of a breach of peace at Sukkur.

#### **UNITED PROVINCES—**

1. Fifteen Congressmen belonging to Madura Congress Circle, Jhansi District, were served with a restraint order under Section 107 Cr. P. C., to keep the peace for one year for alleged preaching of violence and promoting class war between landlord and peasants.

2. Notices under Section 107 Cr. P. C. have been issued against a number of Kisans including a Congressman by the Deputy Commissioner of Unao.

3. The District Magistrate of Benares has served a notice under Section 144 on Mr. S. P. Tripathi, Congress Socialist worker, prohibiting him from organising or attending peasants' meeting for the U. P. Government Tenancy Bill Day on June 24 in Mautagaon village in Benares district.

4. The District Magistrate of Benares City has prohibited a peasants' meeting convened for June 23 at Mautagaon village in connection with the Tenancy Bill.

5. The same Magistrate has served an order on Mr. Rustam Satin, a Congress Socialist, prohibiting him from holding or addressing the Tenancy Day's meeting at Mautagaon or in its vicinity.

### **The All India Congress Committee**

**Delhi—24th September to 26th September 1938**

A meeting of the All India Congress Committee was held at Delhi on September 24, 25 and 26 in a special pandal erected for the purpose. 235 members representing all the provinces were present. Maulana Abul Kalam Azad presided at the first two sittings on September 24 and 25 on account of the unavoidable absence of the Congress president owing to sudden illness. Shri Subhas Chandra Bose however presided at the third sitting on September 26.

The minutes of the last A. I. C. C. meetings held at Haripura on February 16 and 22 were confirmed.

The following resolutions recommended by the Working Committee were passed with slight modifications :—

#### **(1) THE C. P. MINISTERIAL CRISIS**

The A. I. C. C. approves of the prompt and decisive action taken by the Working Committee in the handling of the Central Provinces Ministerial crisis and fully endorse the views expressed by the Working Committee regarding the conduct of Dr. Khare and that of H. E. the Governor of the C. P. in this unfortunate episode.

The A. I. C. C. is further clearly of opinion that the conduct of Dr. N. B. Khare since his resignation from the C. P. Ministry deserves the severest condemnation and recommends to the Working Committee to take disciplinary measure against Dr. Khare.

*Note*—The last portion of the second para beginning from 'and recommends to the.....' was moved as an amendment to the Working Committee resolution by Pandit Balkrishna Sharma. The resolution was passed as amended.

#### **(2) FEDERATION**

As doubt has been expressed in certain quarters as to the attitude of the Congress on the question of Federation the A. I. C. C. considers it necessary to reiterate the following resolution passed at the Haripura Session of the Congress :

"The Congress has rejected the new constitution and declared that a constitution for India which can be accepted by the people, must be based on independence and can only be framed by the people themselves by means of Constituent Assembly, without interference by any foreign authority. Adhering to this policy of rejection, the Congress has, however, permitted the formation in provinces of Congress Ministries with a view to strengthen the nation in its struggle for independence. In regard to the proposed Federation, no such considerations apply even provisionally or for a period, and the imposition of this Federation will do grave injury to India and tighten the bounds which hold her in subjection to imperialist domination. This scheme of Federation excludes from the sphere of responsibility vital functions of Government.

The Congress is not opposed to the idea of Federation ; but a real Federation must, even apart from the question of responsibility, consist of free units enjoying more or less the same measure of freedom and civil liberty, and representation by the democratic process of election. The Indian States participating in the Federation should approximate to the provinces in the establishment of representative institutions and responsible Government, Civil liberties and method of election to the Federal Houses. Otherwise the Federation as it is now contemplated, will, instead of building up Indian unity, encourage separatist tendencies and involve the States in internal and external conflicts.

"The Congress therefore reiterates its condemnation of the proposed Federal Scheme and calls upon the provincial and Local Congress Committees and the people generally, as well as provincial Governments and Ministries, to prevent its inauguration. In the event of an attempt being made to impose it despite the declared will of the people, such an attempt must be combated in every way, and the provincial Governments and Ministries must refuse to co-operate with it. In case such a contingency arises, the All India Congress Committee is authorised and directed to determine the line of action to be pursued in this regard."

The A. I. C. C. is of opinion that developments have justified the wisdom of the Congress resolution and warns the British Government against entertaining the hope that the Congress will ever submit to the imposition of Federation on the country against its declared will to the contrary.

The A. I. C. C. further declares that the continuance of the irresponsible Government at the Centre is becoming intolerable and further prolongation may precipitate a crisis which all desire to postpone if at all possible.

### (3) INDIAN STATES

The A. I. C. C. note with sorrow and dismay the repression that has been going on in Travancore for some days. The evidence that has come to the Congress office, if it is to be believed, goes to show that the movement led by the State Congress is strictly constitutional and for a constitutional purpose, viz., attainment of responsible Government under the aegis of H. H. the Maharaja. The repudiation published on behalf of the State is categorically contradicted by the spokesmen of the State Congress. In the circumstances the A. I. C. C. recommends to the Travancore Government for adoption of the following policy, viz., assurance on the one hand that the State Congress is free to carry on the movement for responsible Government in a constitutional manner, appointment of a Committee containing among others representatives of the State Congress to explore the possibility of granting responsible Government, and an inquiry conducted by a jurist outside the State, of unimpeachable impartiality, into the recent happenings including charges made by the State of provocations justifying State measures including firing on unarmed people resulting in deaths and injuries, and an amnesty to the prisoners.

The A. I. C. C. regrets that the Hyderabad State has issued ordinances which appear to give to the State power altogether in excess of requirements.

The A. I. C. C. has also received complaints of severe repression in States like Dhenkanal, Talcher, Kashmir and Sahawal.

In all these cases the people of the States have appealed to the Congress for advice, guidance and help.

The A. I. C. C. can but reiterate its policy of non-interference and, consistently with its resources, to help the people in every way open to the Congress. The

policy of non-interference is an admission of the limitations of the Congress. The Congress policy has been one of friendliness to the States. In spite of the declarations of some Congressmen to the contrary, the corporate policy of the Congress, so long as it holds by truth and non-violence, must be one of continuous attempt to convert the Princes to the view that their true welfare consists in a voluntary surrender of power to the people so as to bring them in line with the people of so-called British India, consistently with the existence of the constitutional heads of the respective States.

#### (4) PALESTINE

Since the Haripura Congress condemned the decision of Great Britain as a Mandatory Power to bring about the partition of Palestine in the teeth of the opposition of the Arabs and the appointment of a Commission to carry out this project, the A. I. C. C. regrets to find that the same policy is still being pushed with vigour and relentlessness. The A. I. C. C. protests against the reign of terror that has now almost assumed the form of a war between the British and the Arabs of Palestine.

In the present world conditions the A. I. C. C. trusts that Britain would be well advised in revoking its present policy and leave the Jews and Arabs to amicably settle the issues between them and appeals to the Jews not to take shelter behind British Imperialism.

#### BURMA RIOTS

The A. I. C. C. expresses its deep sympathy with the Indian sufferers during the recent deplorable riots that broke out in Burma resulting in heavy loss of life and serious injuries and destruction and burning of property. The A. I. C. C. trusts that there will be a thorough and impartial inquiry into the causes of the riots and the amount of damage done to life and property. In the opinion of the A. I. C. C. the demolished places of worship should be restored and adequate compensation awarded to the sufferers unless they are found guilty of having participated in the riots. The A. I. C. C. is also of opinion that safety of life and property should be assured to the large Indian colony many of whom have settled in Burma for generations without let or hindrance.

The A. I. C. C. reminds the great people of Burma that there is a long tradition of friendship between the two countries and that the relations between the Burmans and Indian settlers have hitherto been cordial and happy. The A. I. C. C. appeals to the Government and the people of Burma to see to it that nothing is done to disturb the happy relations subsisting between the two countries.

The A. I. C. C. advises the Indian settlers to rely more upon their ability, by strictly just dealings to cultivate friendship with the Burmans than upon any aid that might be rendered by the mother country or the Government of India.

#### (6) WAR DANGER

In the event of war breaking out in Europe, the A. I. C. C. delegates its powers to the Working Committee to deal with the situation as it arises from time to time in the light of Haripura resolution on foreign policy and war danger.

#### (7) REPRESSION IN BUGTI

The A. I. C. C. condemns the oppressive and tyrannical administration under which the people of the Bugti territory in Baluchistan have since long been suffering at the hands of tribal head Mehrab Khan.

The Committee are of the view that the British authorities who have assumed responsibility for the welfare of the people of the area have failed to discharge responsibility.

The Committee calls upon the authorities to take immediate measures to stop the present autocratic and irresponsible system of administration under which the Bugti tribesmen had to live and suffer all those years.

#### (8) CIVIL LIBERTY

Inasmuch as people including Congressmen have been found in the name of civil liberty to advocate murder, arson, looting and class war by violent means and several newspapers are carrying on a campaign of falsehood and

violence calculated to incite the readers to violence and to lead to communal conflicts the Congress warns the public that civil liberty does not cover acts of or incitement to violence or promulgation of palpable falsehoods. In spite therefore of the Congress policy on civil liberty remaining unchanged the Congress will consistently with its tradition support measures that may be undertaken by the Congress Governments for the defence of life and property.

*Note*—Several amendments were brought to this resolution. Before an amendment brought by Shri Ahmad was put to vote Shri Niharendu Dutt Mazumdar made an appeal to the Working Committee to accept the amendment. The Working Committee however could not accept the amendment. Thereupon several members belonging to the Socialist and Kisan Sabha groups left the meeting.

Shri Shibban Lal Saxena's amendment recommending the insertion of 'a few' before 'Congressmen' in the first sentence was accepted by the Working Committee.

### Resolutions by Members of the A. I. C. C.

The following resolutions were moved by the members of the A. I. C. C. :—

#### (1) HINDUSTANI

Whereas the question of a common language for the whole of India is of supreme importance and whereas the Hindi-Urdu controversy has taken a very communal turn and whereas the position taken up by the I. N. C. is not properly appreciated, this committee reiterates that the I. N. C. stands for Hindustani written in both Devanagari and Persian scripts as the National Language of India and directs all Congressmen to popularise Hindustani and to desist from taking part in the Hindi-Urdu controversy. The A. I. C. C. hereby appoints a 'Hindustani Board', with powers to co-opt, consisting of the following to prepare an exhaustive scheme for the development of Hindustani and submit their report to this Committee before the next annual session of the I. N. C. :

1. Dr. Rajendra Prasad (*Chairman*), 2. Maulana Abul Kalam Azad, 3. Acharya Narendra Deo, 4. Babu Parshottam Das Tandon, 5. Prof. Abdus Sattar Siddiqi, 6. Dr. Tara Chand, 7. Dr. Syed Husain, 8. Dr. Abdul Aleem, 9. Pandit Sunderlal.

The Working Committee accepted the resolution on Hindustani minus the Committee portion of it. Several amendments were moved to the main resolution but all were defeated as also the main resolution.

#### (2) CONGRESS-MUSLIM LEAGUE NEGOTIATIONS

This meeting of the All-India Congress Committee strongly disapproves of the policy of certain prominent Congressmen including the Congress President to start negotiations with the President of the All-India Muslim League, as the move has served, without any redeeming feature, to enhance the prestige of anti-national and reactionary forces in the country and to undermine the influence of the nationalist Muslim wing in the circle of organising the masses on a national and economic basis.

The resolution was defeated by a heavy majority.

#### (3) BEHARI-BENGOALI CONTROVERSY

This Committee regrets the delay in settling Behari-Bengali controversy in Bihar and appeal to the Congress Government in Bihar to cease from insisting on domicile certificate and the formalities incidental thereto pending disposal of the matter.

The resolution was withdrawn on Sri Rajendra Prasad explaining that the matter was subject of inquiry by him and his award was ready and will be placed before the Working Committee.

### The Working Committee Proceedings

*Delhi—22nd. September to 2nd. October 1938*

A meeting of the Working Committee was held at Delhi from September 22 to October 2, 1938.

The members present were : Maulana Abul Kalam Azad, Shris Sarojini Naidu, Vallabhbhai Patel, Rajendra Prasad, Jammalal Bajaj, Bhulabhai Desai, Khan Abdul Ghaffar Khan, Pattabhi Sitaramayya, Shankarrao Deo, Harekrishna Mehtab and J. B. Kripalani.

Owing to sudden illness, the President could not be present at the meetings of the Working Committee till the afternoon of the 26th. In his absence Maulana Abul Kalam Azad presided. From the afternoon of the 26th onwards Shri Subhas Chandra Bose presided.

The Premiers of the Congress provinces who had been invited to attend were present at most of the meetings of the Working Committee upto the 26th September.

#### (1) MINUTES

The Minutes of the last meeting at Wardha, July 23-27, 1938, already circulated, were confirmed.

#### (2) BUDGET FOR THE YEAR 1938-39

Resolved that the budget for the A. I. C. C. office for the year beginning from October 1, 1938 and ending with September 30, 1939, be sanctioned.

#### (3) WAFDIST INVITATION

The Committee requested the President to extend on behalf of the Congress an invitation to the Wafdist Party of Egypt to visit India specially at the time of the Annual Session of the Congress. The Committee also authorised the President to thank the Wafdist Party on behalf of the Congress for their kind invitation conveyed through their leader Nahas Pasha, to send a delegation to their Party Conference to be held at the end of November this year and to say that the Working Committee will try to send representatives to the Conference of the Party.

#### (4) LAST DATE OF ENROLMENT

In response to the urgent demand from several Provincial Congress Committees it is resolved that the last date of enrolment of the primary members be extended to October 31, 1938 and a suitable time-table be drawn up by the A. I. C. C. office for subsequent elections.

#### (5) PROCEEDS OF THE MEMBERSHIP FEE

It was the opinion of the Committee that the net proceeds of the membership of any year should be held in reserve for use by the new Committees, Provincial, District, Tahsil, Town etc., that come into existence after the annual elections.

#### (6) NAGPUR P. C. C. OFFICE

The Committee sanctioned the change of the head office of the Nagpur P. C. C. from Nagpur to Wardha.

#### (7) PUNJAB DISPUTE

The two parties in the Punjab Congress organisation met the members of the Committee on the 23rd September at 5 p. m. The one party was represented by Dr. Gopichand and the other by Shris Raja Ram, Dunichand, and others. The Committee heard them at great length.

The Committee saw no reason to interfere with the award of Shri Jairamdas Doulatram and they upheld the interpretation of the award given by Shri J. B. Kripalani in his judgment communicated to the parties. By this the Working Council constituted by Shri Jairamdas Doulatram was to function as the executive authority of the Congress organisation in the Punjab in spite of the resignations of Dr. Satyapal and Shri Dunichand. Dr. Satyapal however could choose any two representatives of his party to be on the Working Council. The Office, for the day to day work of the P. P. C. C., was to be in charge of the Secretary of the Working Council, namely, Dr. Gopichand. At the time of the meetings of P. C. C. Shri Raja Ram was to have free access to all the papers and the files necessary for the conduct of business of these meetings.

This decision of the Working Committee was communicated to the parties.

Shri Dunichand however met the Committee again on the 28th September. He said that the Congress work in Punjab could not go on satisfactorily if only one party, as at present, worked the Congress machinery. It was pointed out to him that Dr. Satyapal had himself brought about this state of affairs by his resignation. It was their considered opinion that Shri Jairamdas Doulatram's remarks on the

election petition against Dr. Satyapal were in no way derogatory to his character as the objections raised were of a technical character and the election was not set aside. Under these circumstances the Committee saw no reason why Dr. Satyapal should not withdraw his resignation. Shri Duniyohand said that he would inform Dr. Satyapal about the talk he had with the Committee and he hoped that he might succeed in inducing Dr. Satyapal to withdraw his resignation.

On the 29th the Committee was informed that Dr. Satyapal had withdrawn his resignation. Thereupon the General Secretary was authorised to issue the following statement on behalf of the Committee :—

"The deputation of the two parties in the Punjab Congress organisation waited upon the Working Committee. The Committee heard them at length. The Committee was of the view that Dr. Satyapal had resigned under a misapprehension and the remarks of Shri Jairamdas Doulatram on the election petition against him implied no reflection upon him as the objections raised against his election were of a technical character. The Committee suggested that the whole question could be settled if Dr. Satyapal withdrew his resignation. We are glad to know that Dr. Satyapal has accepted the suggestion of the Working Committee and withdrawn his resignation. We hope now that Dr. Satyapal having withdrawn his resignation the Working Council constituted under the award of Shri Jairamdas Doulatram will work as before."

#### (8) AUDIT OF ACCOUNTS

The Committee also decided that an auditor be sent from the A. I. C. C. office to audit the accounts of the Punjab P. C. C.

#### (9) C. P. MINISTERIAL CRISIS

The following draft resolution to be placed before the A. I. C. C. was adopted :—

"The A. I. C. C. approves of the prompt and decisive action taken by the Working Committee in the handling of the Central Provinces Ministerial crisis and fully endorse the views expressed by the Working Committee regarding the conduct of Dr. Khare and that of H. E. the Governor of the C. P. in this unfortunate episode.

The A. I. C. C. is further clearly of opinion that the conduct of Dr. N. B. Khare since his resignation from the C. P. ministry deserves the severest condemnation."

In the A. I. C. C. the resolution was passed with the following amendment added :—"and recommends to the Working Committee to take disciplinary measure against Dr. Khare."

The Working Committee had therefore to take disciplinary action against Dr. Khare in terms of the A. I. C. C. resolution. The Committee at its sitting on September 28, 1938, however, decided to give Dr. Khare a further opportunity to clear his position and sent him the following telegram :—

"All India Congress Committee having endorsed Working Committee action against you, condemned your subsequent conduct and directed Working Committee to take disciplinary action. Committee prefers hearing you on or before first October if you do desire. Please wire."

To this Dr. Khare replied :—

"Your wire. Having accused Working Committee I prefer independent impartial tribunal since Working Committee as contending party can't in fairness sit in judgment over me. Please reply".

Working Committee's reply to the telegram was :—

"No appeal can lie against A. I. C. C. decision. Unless therefore you appear before Working Committee yourself or by proxy on 2nd October decision will be taken.

Dr. Khare failed to appear or send his representative by the 2nd. The Working Committee was therefore constrained to pass the following resolution :—

"In pursuance of the resolution passed by the All India Congress Committee to take disciplinary action against Dr. Khare, the Working Committee before taking any action gave him opportunity to explain his conduct but he declined to avail himself of it. The Working Committee disqualifies Dr. Khare from being a Congress member

for the next two years from to-day, i. e., till 1st October, 1940. This necessarily involves his immediate resignation from all Congress organisations and also from the C. P. Legislative Assembly. Accordingly the Working Committee calls upon Dr. Khare to resign from the C. P. Legislative Assembly."

(10) DRAFT RESOLUTIONS ON THE FOLLOWING SUBJECTS TO BE PLACED BEFORE THE  
A. I. C. C. WERE ADOPTED

- (1) Federation, (2) Indian States, (3) Palestine, (4) Burma Riots, (5) Repression  
(6) Civil Liberty, (7) Interference with Administration.

NOTE :—All these resolutions except the last (Interference with Administration) were passed by the A. I. C. C. with slight verbal changes. See p.....

(11) WAR DANGER

The Working Committee adopted the following resolution to be placed before the A. I. C. C. :—

"In the event of war breaking out in Europe, the A. I. C. C. delegates its powers to the Working Committee to deal with the situation as it arises from time to time in the light of Haripura resolution on foreign policy and war dangers."

The Working Committee took the following further decision :—

"In view of the problems arising out of war situation the Working Committee will continue to sit from day to day at Delhi."

(12) CZECHOSLOVAKIA

The following resolution of sympathy was passed :—

"The Working Committee have been following with great anxiety the events as they have been developing in Europe. They view with great concern the unabashed attempt that is being made by Germany to deprive Czechoslovakia of its independence or reduce it to impotence. The Working Committee send their profound sympathy to the brave people of Czechoslovakia in their struggle to preserve their freedom. Being themselves engaged in a war, though non-violent but not the less grim and exacting, against the greatest Imperialistic power on earth, India cannot but be deeply interested in the protection of the Czechoslovakian freedom. The Committee hope that the better part of human nature will still assert and save humanity from the impending catastrophe."

In pursuance of this resolution the President sent the following message by cable to President Benes :—

"Congress passed resolution expressing profound sympathy for your brave people in their struggle to preserve freedom. We hope better part of human nature will still assert itself and save humanity from impending catastrophe. Pray accept personal regard and admiration."

(13) INTERFERENCE IN ADMINISTRATION

Following resolution was passed :—

"It has come to the notice of the Working Committee that Congress Committees interfere with the ordinary administration of the country's affairs seeking to influence officers and other members of the services. The Working Committee advises Congressmen not to interfere with the due course of administration. This however does not mean that there should not be the utmost mutual co-operation between Congressmen and the members of the services in matters of public concern.

NOTE :—The resolution could not be discussed in the A. I. C. C. for want of time. It was therefore passed by the Working Committee as its own resolution.

(14) CONSTITUTION COMMITTEE REPORT

The Report of the Constitution Sub-Committee was placed before the Committee and was adopted.

(15) POWERS OF THE PARLIAMENTARY SUB-COMMITTEE

Read and considered the following resolution of the Tenancy Sub-Committee of the U. P. Provincial Congress Committee :—

"The Sub-Committee appointed by the U. P. Provincial Congress Committee at its meeting held on the 11th July, '38 to consider the draft of the Tenancy Bill and

to make recommendations to the Government on its behalf is perturbed by the report that the Parliamentary Sub-Committee is anxious to arrive at a settlement with the big zamindars of the Province over the question of agrarian legislation and has with this view agreed to receive their deputation.

"The Committee while recognising the right of the Parliamentary Sub-Committee to advise the Congress Party in all its activities is aware of the fact that as a rule the Parliamentary Sub-Committee has refrained from tendering advice in any matter unless it is specially sought for by the Congress Government or the Party itself. The Committee is emphatically of opinion that in the present case there is absolutely no reason why the rule of practice established by the Parliamentary Sub-Committee should be departed from

It is obvious that all effective work in the legislatures must have the sanction of the people behind it and that the Congress is pledged to implement the agrarian programme of the Congress as enunciated in the election manifesto and the agrarian programme of the Provincial Congress Committee. The Congress Party in each province has been directed by the Working Committee to consult the Provincial Congress Committee and the U. P. Congress Party has in the rules framed by it laid it down as its primary duty to carry out the resolutions of the P. C. C.

The Parliamentary Party and the P. C. C. have set up Sub-Committees to consider the government proposals and make their recommendations to the Government and a machinery has also been devised to settle differences of opinion, if any, between these two bodies.

The Government proposals are quite modest and inadequate to give a sufficiently large measure of relief to the peasantry at a time when its economic burdens are becoming more and more intolerable. The big zamindars are forcibly dispossessing their tenants in order to deprive them of the new rights that might accrue to them under the new Act. They are organising themselves to create difficulties in the way of the Government and are using threats of violence in order to coerce the Government into submission. The Government has gone far to appease them and has done its utmost to meet them half way. The new proposals in consequence fall far short of the proposals enunciated in our Agrarian Programme and the recommendations of the P. C. C. Where immediate action was urgently called for, the agrarian legislation is being unduly delayed owing to the delaying tactics of the big zamindars and the Congress and peasant organisations have been making insistent demands for improving the proposals. The peasantry is getting restive and if the process is not speeded up and all talk of compromise with the big zamindars is not given up it is bound to lead to disastrous results.

The Committee is credibly informed that the Congress Government is not prepared to make any further concessions to the big zamindars and regards itself as quite competent to deal with the situation with the assistance of the Congress organisation of the province. It has not approached the Parliamentary Sub-Committee with any request nor has it ever sought its advice in this matter.

The Committee, therefore, trusts that the Parliamentary Sub-Committee will not depart from the rule of practice which it has laid down for its guidance and will, instead of holding out any hopes to the big zamindars or giving them any encouragement simply refer them to the Congress Party in the province."

Resolved that in view of the fact that a doubt has been raised regarding the function of the Parliamentary Sub-Committee, the Working Committee desires to make it clear that in accordance with the resolution appointing it, the Parliamentary Sub-Committee is required to be in close and constant touch with the work of the Congress Parties in all the legislatures in the provinces, to advise them in all their activities and take necessary action in any case of emergency. The Parliamentary Sub-Committee is entitled to do so *suo motu* and not only on reference being made by Parliamentary Parties or Provincial Congress Committees. The Committee regrets that the Agrarian Sub-Committee of the U. P. Provincial Congress Committee should have questioned the authority of the Parliamentary Sub-Committee and passed a resolution to that effect. The U. P. resolution is particularly objectionable as there is absolutely no justification for the assumption on which it is based.

## (16) BANNU RAIDS

The following resolution was passed :—

"Resolved that Mr Asaf Ali be deputed to go to the Frontier and enquire into the causes and circumstances of the recent Bannu raids and report to the Working Committee".

## (17) DR. ASHRAF'S RESOLUTION ON HINDUSTANI

The Committee decided to support it with the deletion of the portion about the appointment of a Committee.

The resolution was however defeated in the A. I. C. C.

The Working Committee therefore passed the following resolution to dispel any doubts that might have arisen regarding the Congress attitude in this question :—  
*Hindustani*—

With reference to the non-official resolution regarding Hindustani moved by Doctor Ashraf at the recent meeting of the A. I. C. C., the Working Committee regrets that it fell through owing to the confusion of issues created by a variety of amendments. But the rejection of the resolution does not in any way affect the position of the Congress as defined in the following article of the Constitution :—

*"Article XIX—*

(a) The proceedings of the Congress, the All India Congress Committee and the Working Committee shall ordinarily be conducted in Hindustani. The English language or any provincial language may be used if the speaker is unable to speak in Hindustani or whenever permitted by the President.

(b) The proceedings of the Provincial Congress Committee shall ordinarily be conducted in the language of the province concerned. Hindustani may also be used.

Hindustani according to the practice of the Congress is the language of the bulk of the people of the North and written either in Devanagari or Urdu script.

Indeed it has been the policy of the Congress more and more to insist on the use of Hindustani at all the meetings and in the proceedings of Congress Committee. The Working Committee hopes that by the end of the year Congressmen will prepare themselves to speak and write in the national language so that it may become unnecessary thenceforth to make use of English at Congress meetings or in the offices of the Congress committees so far as interprovincial communications are concerned, provided that the Chairman may whenever necessary permit the use of English.

## (8) Correspondence with the Muslim League

*The following is the text of Mr. Jinnah's letter to Mr. Subhas Bose, Dated 2nd. Aug. 1938 :—*

I placed your letter dated the 25th of July, 1938 before the meeting of the Executive Council of the All India Muslim League.

The Executive Council gave its earnest attention and careful consideration to the arguments which were urged in your letter for persuading it not to claim the status it has done in its Resolution No. 1 already communicated to you. I am desirous to state that in defining the status the Council was not actuated by any motive of securing an admission but had merely stated an accepted fact.

The Council is fully convinced that the Muslim League is the only authoritative and representative political organisation of the Mussulmans of India. The position was accepted when the Congress-League Pact was arrived at in 1916 at Lucknow and ever since till 1936 when Jinnah-Rajendra Prasad Conversation took place it has not been questioned. The All India Muslim League, therefore, does not require any admission or recognition from the Congress and nor did the resolution of the Executive Council passed at Bombay. But in view of the fact that the position—in fact the very existence—of the League had been questioned by Pandit Jawaharlal Nehru, the then President of the Congress, in one of his statements wherein he asserted that there was only two parties in the country viz. the British Government and the Congress it was considered necessary by the Executive Council to inform the Congress of the basis on which the negotiations between the two organisations could proceed.

Besides, the very fact that the Congress approached the Muslim League to enter into negotiations for a settlement of the Hindu-Muslim question it pre-supposed the authoritative and representative character of the League and as such its right to come to an agreement on behalf of the Mussalmans of India.

The Council are aware of the fact that there is a Congress coalition government in N. W. F. P. and also that there are some Muslims in the Congress organisation in other province. But the Council is of opinion that those Muslims in the Congress do not and cannot represent the Mussulmans of India for the simple reason that their number is very insignificant and that as members of the Congress they have disabled themselves from representing or speaking on behalf of the Muslim community. Were it so, the whole claim of the Congress alleged in your letter regarding its national character would fall to the ground.

As regards "the other Muslim organisation" to which reference has been made in your letter, but whom you have not even named, the Council considers that it would have been more proper if no reference had been made to them. If they collectively or individually had been in a position to speak on behalf of the Mussalmans of India, the negotiations with the Muslim League for a settlement of the Hindu-Muslim question would not have been initiated by the President of the Congress and Mr. Gaudhi. However, so far as the Muslim League is concerned, it is not aware that any Muslim Political organisation has ever made a claim that it can speak or negotiate on behalf of the Muslims of India. It is, therefore, very much to be regretted that you should have referred to "other Muslim organisations" in this connection.

The Council is equally anxious to bring about a settlement of "the much vexed Hindu-Muslim question" and thus hasten the realization of the common goal, but it is painful to find that subtle arguments are being introduced to cloud the issue and retard the progress of the negotiations.

In view of the facts stated above the Council still hopes that the representative character of the Muslim League will not be questioned and that the Congress will proceed to appoint a committee on that basis.

With reference to the third resolution it was the memorandum of the Congress referred to in your letter dated the 15th of May, 1938 in which mention of other minorities was made and the Muslim League expressed its willingness to consult them, if and when, it was necessary in consonance with its declared policy.

As regards your desire for the release of the correspondence, including this letter, for publication the Council has no objection to your doing so.

*The Working Committee authorised the President to send the following reply to Mr. Jinnah's letter of Aug. 2, 1938. The letter is dated 2nd. October 1938 :-*

Dear Mr. Jinnah,

Your letter of the 2nd August, 1938 has been placed before the Working Committee. After due deliberation it has resolved to reply as follows :-

Though there are inaccuracies in your letter no purpose will be served by dwelling on them. The substance of your letter seems to be that the League does not expect the Congress either implicitly or explicitly to acknowledge its status as the authoritative Muslim organisation of India. If this view is accepted by the League, I am authorised to state that the Working Committee will confer with the Committee that may be appointed by the League to draw up the terms of settlement. The Working Committee will be represented by at least five of its members at the sittings of the Conference.

As the previous correspondence has already been released for publication, I am taking the liberty of issuing this to the press.

The letter of 2nd October of the president was considered by the Executive of the Muslim League at its meeting at Karachi held on October 9, 1938. The Council authorised the President, Mr. Jinnah to reply to the Congress President as follows :-

I am in receipt of your letter dated October 2, which was placed before the Executive Council of the League. I am authorised to state in reply that the Executive Council regret very much that the Working Committee of the Congress should have entirely misread my letter of August 2 which was quite clear and did not require any elucidation or further interpretation. The Muslim League is still ready to proceed with negotiations for a settlement of the Hindu-Muslim question on the basis defined

in my letter referred to above and would appoint its representatives to meet a committee that may be appointed by the Congress on the footing indicated by us in our three resolutions of June 5, already communicated to you.

### The Constitution Committee Report

The Constitution Committee appointed by the Harijura Congress meet for the Second time at Delhi on September 20, 1938. The Members present were: Shris Bhulabhai Desai, B. Pattabhi Sitar amayya, S. A. Brelvi, Anant Shayanam Ayenger and J. B. Kripalani. Shris Rajendra Prasad and Shankarrao Deo were present by special invitation.

The Committee discussed the questions that had been referred to it, considered the suggestions made by the different P. C. Cs, and submitted the following report to the Working Committee :

#### REPORT OF THE CONSTITUTION COMMITTEE APPOINTED BY THE RESOLUTION OF THE HARIJURA CONGRESS DATED FEBRUARY 21, 1938

The first meeting of the Committee was held at Bombay on 18th and 19th May, 1938 when the following members were present : Shris Jawaharlal Nehru, Jairamdas Donlatram, Pattabhi Sitaramayya, Achyut Patwardhan, Kiran Sankar Roy, S. A. Brelvi and J. B. Kripalani. The Committee arranged to discuss the subject-matter of the resolution under the following four heads :—

- (a) Advisability or otherwise of indirect elections of delegates.
- (b) Genuine membership and proper elections.
- (c) Suitability of territorial representation on the A. I. C. C. and in provinces where it may be considered suitable, the method of such representation.
- (d) Suitability or otherwise of the method of proportional representation by a single transferable vote in the elections to the membership of the A. I. C. C. Any consequential change that may be necessary as a result of fixing up constituencies in connection with Article VI (c).

The Committee discussed only the first two items and of these two, no conclusion was arrived at regarding the first item. The tentative conclusions regarding the second item, as also the points for discussion, were circulated among the several Provincial Congress Committees for eliciting their opinion thereon. The opinions received from the several Congress Committees and the points for discussion, were finally discussed at the meeting of the Constitution Committee on September 20, 1938 at the Harijan Colony, Delhi when the following members were present: Shris Bhulabhai Desai, S. A. Brelvi, B. Pattabhai Sitaramayya, M. A. Iyengar and J. B. Kripalani with Shri Bhulabhai Desai in the Chair. The following decisions were arrived at regarding the points under reference :—

(1) *Advisability or otherwise of indirect elections of delegates*: The Committee consider that owing to the increasing number of Primary members and the trouble and expense involved in direct elections by them, indirect elections of delegates to the Congress is advisable and recommended that the delegates may be elected by the members of the District Congress Committee in each district who shall form an electoral college for the purpose of this election. The election to the District Congress Committee shall be direct and shall be made by the primary members in the District from among themselves. The District should be divided into fixed territorial constituencies for this purpose, each constituency being co-terminus with a revenue firkah, circle or union. The number of members returned from "firkah, circle or union, to the District Congress Committee shall bear a fixed proportion to the numbers enrolled therein, as may be prescribed by the Provincial Congress Committee. The election to the District Congress Committee shall be yearly and the election of the delegates to the Congress shall also be annual. Any primary member of the Congress in the District shall be eligible to stand as a candidate for delegateship, and the election of the delegates by the D. C. C. shall be by means of the distributive vote. Delegates who are not already members of the D. C. C. shall become ex-officio members of the D. C. C. and as before shall be members of the P. C. C. also.

(2) (a) *Enrolment of members* :—There have been complaints by individuals and parties that those in power and in control of the office machinery refused many times to supply books to their personal or political opponents and that in some cases

where books were too freely distributed, unreal and bogus persons were enlisted as members to add to the strength of a party or a faction. Cases also have been reported of instances where persons to whom books were given, enrolled members and collected subscriptions but did not remit the money and even failed to send up the names of the District Congress Committee. Our recommendation is that the District Congress Committee shall be responsible for getting membership forms printed at their own cost and for making arrangements for the enrolment of the members and the collection of subscription from them. Members of the District Congress Committee, the Provincial Congress Committee and the members of the A. I. C. C. in the District and the president and secretary and other members of each Taluka or Town Congress Committee therein shall be entitled to obtain membership forms from the D. C. C. for enrolment of members in the District or in areas specified by the D. C. C. Membership forms may also be given to such others as the District Congress Committee may choose. The persons to whom the membership forms are so given shall be responsible to the District Congress Committee for the money collected and they shall abide by such other directions regarding the sending up of lists of members etc. as may be given by the D. C. C.

(b) *Electoral Rolls preparation* : We are in favour of enrolment of members each year.

There shall be an electoral roll or list of Primary members for each firkah, circle or union every year. The D. C. C. shall be responsible for the preparation and publication thereof and may delegate the preparation and publication to the Taluka Committee, if any, under it. The lists of Primary members must be made available for inspection sometime before the date of the elections at the office of the firkah Committee for raising objections thereto. The final date for receiving such objections must be fixed by the D. C. C. when the following time-scale shall be observed regarding the fixing of dates of publication of lists, the time for objections, the date for scrutiny, rectifications etc. Objections to the rolls shall be considered and decided upon by standing firkah credential committees constituted each year for this purpose for each firkah by the District Congress Committee, from amongst the members of the Congress in the District. An appeal shall lie from the decision of the firkah credential committee to a standing District Credential Committee constituted for the whole district each year by the District Congress Committee. The decision of the District Congress Committee on appeal shall be final. The finally corrected list shall be sent after enquiry into objections to the P. C. C. and it is this final list as supplied to the P. C. C. that should be considered the valid list for election purposes.

*Election Machinery* : The P. C. C. should appoint a Returning Officer in each District for scrutinising nominations, appointing polling agents and for making other necessary arrangements in connection with elections to the Congress organisations other than village committees. The returning officer shall receive the necessary help and assistance from the District Congress Committee. The Executive of the P. C. C. should also appoint a Credential Committee for each district and one superior Credential Committee for the whole of the province. The function of the District Credential Committee should be to hear all the disputes concerning membership and elections within the district. All appeals from the District Credential Committees should lie with the Provincial Credential Committee. The decision of the Provincial Credential Committee shall be final in all election matters except in the case of disputes about the membership of the A. I. C. C. and the office-bearers and members of the Executive of the P. C. C. In the latter two cases an appeal from the decisions of the Provincial Credential Committee should lie with the General Secretary of A. I. C. C. who may refer the matter to a member of the Working Committee appointed beforehand by the Working Committee as a Regional Reference. The decision of this member of the Working Committee appointed as the Regional Reference should be final in all such disputes.

(3) We consider that territorial representation on the A. I. C. C. according to the provinces as prevails at present is enough and no further sub-territorial representation, from fixed portions of the province is necessary or desirable. We however think that a convention may be established for ensuring representation of Districts as well as that of women, Muslims, Christians, and Harijans and that of the Sikhs from the Punjab, wherever necessary or advisable, on the A. I. C. C.

(4) We are not in favour of continuing the present system of proportional representation by single transferable vote in the elections to the membership of the

A. I. C. C., as it leads to formations of small groups often in conflict with or to one another. With a view to ensure greater harmony and full collective responsibility, we recommended that the members of the A. I. C. C. from each province may be elected by the members of that province from among themselves on the principle of the distributive vote.

Shri S. A. Brelvi however expressed himself in favour of retaining the present system of election to the A. I. C. C. on the principle of the transferable vote.

## The Industries Ministers' Conference

Delhi—2nd. and 3rd. October 1938

In terms of the resolution passed by the Working Committee in this behalf at its meeting held at Wardha, July last, a conference of Industries Ministers of the Congress Provinces was held at Delhi on the 2nd and 3rd October, 1938. Shri Subhas Chandra Bose presided.

Those present were Shris V. V. Giri (Madras), N. N. Patil (Bombay), Dr. Syed Mahmud (Bihar), Shris N. Kumbhoj (Orissa) and J. B. Kripalani (General Secretary).

Shri Visweswaraya, Dr. M. N. Saha, Shri G. D. Birla, Lala Shri Ram and Lala Shankarlal, were present by special invitation.

### PRESIDENT'S OPENING ADDRESS

The president after welcoming the members of the Conference delivered the following address on the Industrial problems facing India :

Let me at the outset thank you all heartily for responding to my invitation and attending this conference in spite of inconvenience and loss of time. This Conference is the first of its kind since the Congress undertook the responsibility of Government in the province. Ever since it was decided to permit Congressmen to accept ministerial office, the problem of developing the industries of our country and the question of co-ordination of our resources with a view to that end has been engaging the earnest attention of the Working Committee.

At its sitting in August 1937, the Working Committee adopted the following resolution :—

"The Working Committee recommends to the Congress Ministries the appointment of a Committee of Experts to consider urgent and vital problems, the solution of which is necessary to any scheme of national reconstruction and social planning. Such solution will require extensive surveys and the collection of data, as well as a clearly defined social objective. Many of these problems cannot be dealt with effectively on a provincial basis and the interests of adjoining provinces are inter-linked. Comprehensive river surveys are necessary for formulation of a policy to prevent disastrous floods, to utilize the water for purposes of irrigation, to consider the problem of soil erosion, to eradicate malaria, and for the development of hydro-electric and other schemes. For this purpose the whole river valley will have to be surveyed and investigated, and large-scale state planning resorted to. The development and control of industries require also joint and co-ordinated action on the part of several provinces. The Working Committee advises therefore that, to begin with, an inter-provincial Committee of experts be appointed to consider the general nature of the problems to be faced, and to suggest how, and in what order, these should be tackled. This Expert Committee may suggest the formation of special committees or Boards to consider each such problem separately and to advise the provincial governments concerned as to the joint action to be undertaken."

In May last, I convened in Bombay a conference of the Premiers of the seven Congress Provinces which was attended by some members of the Working Committee and also by several ministers. On that occasion we discussed, as some of you will remember, the problems of industrial reconstruction, development of Power Resources and Power Supply as well as the general question of co-ordination and co-operation among the Congress provinces. If I remember aright, those who attended the conference were of the view that the Working Committee should take the initiative in appointing a Committee of Experts to advise the Congress ministries on the above problems.

The Working Committee in July last adopted the following resolution :—

"With reference to the resolution passed by the Working Committee at Wardha on August 14-17, 1937, relating to the appointment of an Expert Committee to explore the possibilities of an All India Industrial Plan, it is resolved that as a preliminary step the President be authorised to convene a conference of the Ministers' of Industries at an early date and call for a report of the existing industries in different provinces and the needs and possibilities of new ones."

This Conference has been called in pursuance of this resolution.

It is needless for me to point out that with the problems of poverty and unemployment looming so large in our national life today, the question of utilising all our resources to the best advantage of the nation has assumed enormous importance. It is essential to improve the miserable lot of our peasantry and to raise the general standard of living. This cannot be achieved merely by the improvement of agriculture. Greater efficiency in agricultural methods, which is certainly desirable may give us more and cheaper food and other necessities of life obtained from agriculture, but it will not solve the problem of poverty and unemployment. This may appear paradoxical, but a little consideration will show that greater efficiency means that the same production in agriculture can be effected by less than the present number of agriculturists. In that eventuality the present situation of unemployment may become worse as a result of scientific agriculture.

How then shall we tackle this formidable problem? It is our aim to see that everybody—man, woman and child, is better clothed, better educated and has sufficient leisure for recreation and for cultural activity. If this aim is to be realised the quantity of industrial products has to be increased considerably; necessary works have to be organised and a large proportion of village population have to be diverted to industrial occupations.

India is a country with resources similar to those of the United States of America. Her mineral wealth and other natural resources are superabundant. What is wanted is their systematic and organised exploitation by us in the best interests of the nation. Every country in the world that has grown rich and prosperous has done so through the fullest development of its industries. I shall here cite the example of only one country. Before the Great War, Russia was no better than India. She was mainly an agricultural country and nearly 70 p. c. of the population were peasants, almost as miserable and wretched as our peasants today. Industries were in a backward state, power was undeveloped and was considered a luxury. She was without knowledge of her power resources, without experts and technicians. But within the last 16 years she has passed from a community of primarily half-starved peasants to one of primarily well-fed and well-clothed industrial workers. She has achieved a considerable measure of success in her efforts to solve the problem of poverty, disease and famine which perpetually haunted her peasant population before the Revolution. This has been largely due to planned industrialisation of the whole country which presupposed a scheme of planned electrification. This marvellous progress in Russia in a very short period deserves our careful study and attention, irrespective of the political theories on which this State is based. I have quoted the example of Russia merely because of the resemblance which the pre-War conditions there bear to those in our country and to show how far a scheme of planned industrialisation can take us on the path to all-round prosperity.

We Congressmen of today have not only to strive for liberty but have also to devote a portion of our thought and energy to problems of national reconstruction, considering that we are within sight of power and Swaraj is no longer a dream to be realized in the distant future. National reconstruction will be possible only with the aid of Science and of our Scientists. There is at the present day a lot of loose talk about schemes for bringing about industrial recovery in this land. To my mind the principal problem that we have to face is not industrial recovery but industrialisation. India is still in the pre-industrial stage of evolution. No industrial advancement is possible until we pass through the throes of an industrial revolution. If the industrial revolution is an evil, it is a necessary evil. We can only try our best to mitigate the ills that have attended its advent in other countries. Furthermore, we have to determine whether this revolution will be a comparatively gradual one, as in Great Britain, or a forced march as in Soviet Russia. I am afraid that it has to be a forced march in this country. In the world as it is constituted today, a community which resists industrialisation has little chance of surviving international competition.

At this stage I should like to make it perfectly clear that there need not be a conflict between cottage industries and large-scale industries. Such conflict, if any, arises out of misunderstanding. I am a firm believer in the need of developing our cottage industries, though I also hold that we have to reconcile ourselves to industrialisation. We find that in the most industrially advanced countries in Europe a large number of cottage industries still exist and thrive. In our country we know of cottage industries—like the hand-loom industry, for instance—which have withstood competition with Indian and foreign mills and have not lost ground. Industrialisation does not therefore mean that we turn our back on cottage industries. Far from it. It only means that we shall have to decide which industries should be developed on a cottage basis and which on a large-scale basis. In the peculiar national economy which exists in India today, and in view of the limited resources of our people, we should do our very best to develop cottage industries, side by side with large-scale industries.

Industries may be roughly classified under 3 heads,—heavy, medium and cottage industries. Heavy industries at the present time, are no doubt of the greatest value for the rapid economic development of the country. They form the backbone of our national economy. We cannot unfortunately make much headway in this direction until we capture power at the centre and secure full control of our fiscal policy. The medium scale industries can be started by business leaders with Government co-operation and help. As regards Cottage industries, I have already observed that there need not be any conflict between their development and that of large-scale industries.

I should now like to make a few observations on the principles of national planning.

(a) Though from the industrial point of view the world is one unit, we should nevertheless aim at national autonomy especially in the field of our principal needs and requirements.

(b) We should adopt a policy, aiming at the growth and development of the mother industries viz., power supply, metal production, machine and tools manufacture, manufacture of essential chemicals, transport and communication industries etc.

(c) We should also tackle the problem of technical education and technical research. So far as technical education is concerned, as in the case of Japanese students, our students should be sent abroad for training in accordance with a clear and definite plan so that as soon as they return home they may proceed straightway to build up new industries. So far as technical research is concerned, we shall agree that it should be freed from governmental control of every kind.

(d) There should be a permanent national research council.

(e) Last but not least, as a preliminary step towards national planning, there should be an economic survey of the present industrial position with a view to securing the necessary data for the national planning commission.

I shall now draw your attention to some of the problems which you may have to consider at this conference :—

1. Arrangement for a proper economic survey of each province.
2. Co-ordination between cottage industries and large-scale industries with a view to preventing overlapping.
3. The advisability of having a regional distribution of industries.
4. Rules regarding technical training, in India and abroad, for our students.
5. Provisions for technical research.
6. Advisability of appointing a Committee of experts to give further advice on the problems of industrialisation.

If these problems could be tackled at this conference, I am sure that our purpose in meeting here this afternoon would be fulfilled. As I have indicated at the outset, we have to go into the question of the existing industries in the different provinces and the needs and possibilities of new ones. We can fulfil this task only if we tackle a variety of problems some of which I have indicated above.

In conclusion I express the ardent hope that through your help and co-operation the conference may prove to be a success and may afford a powerful impetus to the industrial regeneration of our poor and exploited country.

The four ministers also made statements on the industrial situation in the country and the problems affecting their respective provinces. There was then a general discussion.

The following resolutions were passed:—

(1) This Conference of the Ministers of Industries is of opinion that the problems of poverty and unemployment of national defence and of the economic regeneration in general cannot be solved without industrialisation. As a step towards such industrialisation a comprehensive scheme of national planning should be formulated. This scheme should provide for the development of heavy key industries, medium-scale industries and cottage industries, keeping in view our national requirements, the resources of the country as also the peculiar circumstances prevailing in the country. The scheme should provide for the establishment of new industries of all classes and also for the maximum development of the existing ones.

(2) This Conference having considered the views of several provincial governments is of opinion that pending the submission and consideration of a comprehensive industrial plan for the whole of India steps should be taken to start the following large-scale industries of national importance on an all India basis and the efforts of all provinces and Indian States, should as far as possible, be coordinated to that end.

- (a) Manufacture of machinery and plant and tools of all kinds ;
- (b) Manufacture of automobiles, motor boats etc. and their accessories and other industries connected with transport and communication ;
- (c) Manufacture of electrical plant and accessories ;
- (d) Manufacture of heavy chemicals and fertilisers ;
- (e) Metal production ;
- (f) Industries connected with power generation and power supply.

(3) With a view to doing preliminary work for giving effect to resolution 1 and 2 this conference appoints a Planning Committee (the personnel of which will be announced later by the Congress President).

To enable this Committee to commence work forthwith, the different provincial governments are requested to make suitable financial contributions. The Committee will submit its report to the Congress Working Committee and to the All India National Planning Commission provided for here-after within four months of the commencement of its sitting.

(4) This Conference is further of opinion that a commission fully representative of all India, including the British Indian Provinces and the Indian States, should be appointed for the purpose of giving effect to resolutions 1 and 2 after due consideration of the recommendations of the Planning Committee. The Commission to be called the All India National Planning Commission shall consist of the following members with powers to co-opt (a) one nominee of the Government of each Province or State co-operating in this work, (b) four representatives of the Federation of Indian Chambers of Commerce, (c) a representative of the All India Village Industries Association and (d) all members of the Planning Committee mentioned in Resolution No. 3.

The Planning Committee and the All India National Planning Commission shall have a paid non-member secretary with necessary staff. The Commission shall at its first meeting frame rules for its own procedure.

The Commission may appoint a Sub-Committee or Sub-Committees of experts to report to it on technical or financial aspects of any industry under consideration and may for expert investigation employ suitable technicians.

The Commission shall submit interim reports on such industry by definite dates to be fixed by the commission at its first meeting.

The first meeting of the All India National Planning Commission shall be presided over by the President of the Indian National Congress. At that meeting the commission shall elect its own chairman, who if not already a member of the Commission, shall ex-officio become a member of that body.

The Commission shall in its report formulate complete schemes including recommendations on the following points :

- (a) place or places where a particular industry shall be established with due regard to all relevant circumstances, such as the supply of raw materials, natural and local advantages, facilities etc., (b) method of organisation of industry, whether it should be under complete State control, or under private enterprise and in the latter case, the mode of State aid, (c) method of financing the Industry and its management.

Each cooperating province and state shall make an initial financial contribution to the Commission to meet all necessary expenditure.

As soon as the All India National Planning Commission comes into existence, the Planning Committee provided for in Resolution No. 3 will be absorbed in the commission and will place before the commission all the facts, materials reports etc. collected or drawn up by it.

The personnel of the Planning Committee shall be announced by the President of the Indian National Congress.

Syt. V. V. Giri, Minister of Industries, Madras will take the necessary steps for bringing into existence the All India National Planning Commission and will also convene the first meeting of the Commission.

(5) This Conference is of opinion that it is of national importance that industrial and power alcohol should be manufactured in India and the necessary raw material, chiefly molasses, now available in India in huge quantities which is at present being wasted, should be fully utilised. This conference has heard with satisfaction that the governments of the Provinces of U. P., Bihar, Bombay and Madras, have schemes for the manufacture of power and industrial alcohol under their consideration. The Conference is of opinion that all the provinces and States should fully cooperate and assist in the establishment and development of such an industry on an All-India scale, and to that end this Conference strongly recommends that necessary legislation be enacted throughout India to make illegal the sale of petrol unmixed with power alcohol for purposes of automobile fuel.

(6) This Conference resolves that all the provincial Governments and Indian States should cooperate with and assist one another in matters of marketing, industrial research, compilation and distribution of commercial and industrial intelligence, expert advice and technical and vocational education.

(7) This Conference favours the automobile project placed before it and recommends that the Planning Committee should examine the whole scheme in all its details and make their recommendations to the National Planning Commission.

### The Assam Ministerial Crisis

A motion of no-confidence was due to be moved in the Assam Assembly on September 13, against the Ministry of Sir Mohammad Saadullah. The Premier forestalled it by an announcement in the Assembly on the same day that he had submitted the resignation of his Cabinet to the Governor as he had found that several supporters of the Ministry had left his party and joined the opposition. The Cabinet having resigned, Shri Gopinath Bardoloi, the leader of the Congress party in the Assembly, was called for an interview with the Governor. The Congress Leader undertook to form a coalition ministry but wanted time to consult the leaders of different parties and also the Congress President and the Parliamentary Sub-Committee. Shortly afterwards, the Congress President and Maulana Abul Kalam Azad proceeded to Shilong to study the situation at first hand and advise. They held consultations with the Congress Party and other groups in the Assam Assembly. As a result thereof the Leader of the Congress Party was authorised to form a Coalition Cabinet. The following statement was issued to the press by the President and Maulana Abul Kalam Azad :

"After consultation with the leaders of the Assam Congress Parliamentary Party it was decided to have a Cabinet of eight members, five Hindus and three Muslims. It was further decided to select the Hindu personnel immediately, but to postpone the selection of the Muslim personnel with a view to giving those Muslim groups who have not joined the Congress coalition an opportunity of doing so by accepting the Congress policy and programme, and Congress discipline. After considering the response from these Muslim groups, the Muslim personnel of the Cabinet will finally be selected."

"Mr. Gopinath Bardoloi, leader of the Congress Party in the Assembly called on the Governor yesterday evening at 5-30 p.m. and submitted the names of five members of the Cabinet, namely, Mr. Gopinath Bardoloi (Premier), Mr. Kamini Kumar Sen, Mr. Akshay Kumar Das, Mr. Rup Nath Brahma and Mr. Ran Nath Das. We hope and trust that the members of the Assam Legislature as well as the general public of Assam will lend the fullest support to the new Cabinet, and that the members of the new Cabinet by their work and public service, justify their selection and thereby further the Congress programme and enhance Congress prestige."

## Gandhi Jayanti

The 70th birthday of Mahatma Gandhi was celebrated with enthusiasm all over the country. Flag salutations, *prabhat pheris*, sale and hawking of Khadi, purse collections, public meetings to explain Gandhiji's ideals formed, as usual, the principal features of the celebrations. Not only Congressmen but people of all shades of political opinion participated in these celebrations.

Pandit Jawaharlal Nehru while speaking at a meeting in London to celebrate the occasion paid tribute to the life and teaching of Gandhiji. "Mahatma Gandhi", said Pandit Nehru, "had left the Congress but he was bigger than Congress and was a great force. His struggle for freedom was greater than of any organisation. Lately we have seen extraordinary triumph of violence in Europe. Mahatma Gandhi had lived for the exact opposite. In Europe we had seen the law of jungle prevail but in India Gandhiji had laid down something entirely different. Active resistance to evil had been his policy—if you like it, peaceful and non-violent resistance but resistance nevertheless."

## Uncertified Khadi

The following note on Uncertified Khadi by Gandhiji appeared in a recent issue of the 'Harijan.'

Reports have come to me showing that even responsible Congressmen use khadi that is sold in uncertified bhandars. No khadi is guaranteed pure that is sold in uncertified stores of which unfortunately there is quite a number which has increased since the phenomenal rise given by the A. I. S. A. in the wages of spinners.

It is not often that workers get better wages without asking. And when that happens unscrupulous persons enough will be found who will exploit the poverty or ignorance of the workers, pay them the old low wages, and sell their manufactures at prices lower than those charged under the raised rate of wages. Then again, cloth is sold under the name of khadi which has its warp made of mill-spun yarn. Pure khadi is that khadi which is handwoven out of handspun yarn and for which wages have been paid according to the A. I. S. A. scale. Such khadi can be had only at certified stores.

Unfortunately Congressmen, out of ignorance, or because they do not believe in khadi, buy cheap cloth for make-believe at the uncertified stores and thus thwart the Congress policy about khadi and, to the extent of their purchase, defraud the spinners of the rise in the wages. Let the public realize that every rise in the price of khadi means at least that much more is paid to the spinner. I use 'at least' advisedly. For the whole of the rise in wages is not charged to the buyers.

Those Congress leaders who open khadi stores without reference to the A. I. S. A. or without being asked by it, certainly harm their own institution, encourage fraud and violate the Congress policy; whereas it should be the duty and pride of every Congressman to help in every way the effort of the A. I. S. A. to better the lot of the most helpless of humanity.

## Arrests, Imprisonments, Searches Etc.

The following are some of the cases of arrests, convictions, internments, externments, searches, gagging orders and the like compiled from the daily press and the bulletins of the Civil Liberties Union.

### PUNJAB :—

Mr. Jograj, General Secretary, District Congress Committee, Lahore, was arrested on August 6 under Section 124-A for an alleged seditious speech delivered recently in Jallianwalla Bagh in connection with the Kisan Movement.

Lala Arjun Deo Kapur and five other Congressmen of Banga, Jullundar District have been asked to furnish securities of Rs. 500 each.

Thirty-five peasants of a village near Unao, Punjab, who are reported to have held a demonstration against the landlords thereby endangering peace have been bound over under Section 107 Cr. P. C.

Amritsar Police have arrested Pir Ghulam Jilani, a worker of the Ittehad-i-Millat under Section 107 Cr. P. C.

District Magistrate, Lahore, convicted and sentenced the editor, printer and publisher, and manager of the now defunct "Siyasat" to pay a fine of Rs. 60 or in default to

undergo imprisonment for one month under the Indian Press (Emergency Powers) Act for alleged publication of an unauthorised news-sheet.

Amritsar District Magistrate under the Indian Press (Emergency Powers) Act awarded three months' rigorous imprisonment each to three socialist workers: Dr. Bhag Singh, Ghulam Jilani and Jagir Singh Joga for publishing an unauthorised news-sheet about the practical programme of the Patiala Praja Mandal.

Master Devraj Shola, a teacher of a Multan School has been arrested for delivering an alleged seditious speech at Delhi.

Dr. Gur Bux Singh Sant of Amritsar was awarded on August 17, six months' rigorous imprisonment for an alleged seditious speech delivered at Harsachina on April 4 last.

The Punjab Government have issued a fresh warning to Mr. N. G. Ranga, M. L. A. that he should not make speeches at public meetings in Simla without obtaining the previous permission of the Government as otherwise he would be liable to arrest under the old order passed under the Criminal Law Amendment Act.

An exterritorial order was served on Chaudhri Sherjung under Section 3 of the Punjab Criminal Law Amendment Act to quit the Punjab by the first available train as his presence in the Punjab was against public interest and not to enter into the Province for a period of one year.

Mr. Ratan Singh who recently returned from Russia was arrested immediately after he alighted at Ludhiana under the Criminal Law Amendment Act. He has been detained in the Lahore Fort.

Comrade Iqbal Singh was served on August 21 with a notice under Section 3 of the Punjab Criminal Law Amendment Act directing him to quit the Punjab and not to re-enter for a period of one year.

Sardar Ishar Singh Majbail, Secretary of the Sikh National College, Lahore was arrested on August 17 at Lahore under Clause 5 of the Criminal Law Amendment Act.

Baba Harnam Singh, a prominent Kisan leader has been interned in the village for one year. He is also prohibited from participating in meetings or processions.

Sardar Kartar Singh Gill, General Secretary of the Punjab Kisan Committee has been ordered by the Punjab Government to leave Amritsar within 24 hours and remain interned in his village. He is also asked not to make any speeches or participate in any political activities.

Babu Sohan Singh Bhakna and Mr. Yog Raj two prominent kisan leaders were prosecuted on August 22 in Amritsar District Magistrate's Court under Section 117, I. P. C. for alleged instigation to defy order under Section 144.

Special Magistrate, Amritsar convicted on August 13 Jathadar Attar Singh and 16 members of his Jatha under Section 145, I. P. C. for alleged defiance of 144 orders and awarded a year's rigorous imprisonment to the Jathadar and one month each to each of the 16 members of the Jatha.

The same court awarded a year's rigorous imprisonment each to Sardar Jagat Singh and S. Sanj Singh for the same offence.

Securities of Rs. 500 each deposited by the "Akali Patrika", a Punjabi daily and the Akali Press where the paper is published were forfeited. The securities were demanded for publishing four articles relating to the recent satyagraha in Amritsar.

Two fresh securities of Rs. 3,000 each have been demanded from "Akali Patrika" and the Akali Press where the paper is published.

An anti-Unionist demonstration at Ajmola, Panjab, was forcibly dispersed by the Police by a cane charge resulting in injuries to eleven persons.

As a sequel to an encounter between the police and the villagers in Sangial, a village in Sialkot district the police have arrested ten persons including 8 Congress workers on a charge of voluntarily causing hurt to deter a public servant from duty.

Amritsar police raided the office of the Kisan Committee and removed the flag and certain documents.

Maulana Inayatullah, President of the Majlis-i-Ahrar, Qadian, was arrested under Section 108 Cr. P. C. in connection it is said with a speech delivered by him at a meeting.

Mr. Waheed-ud-din, office Secretary of the Ittihad-i-Millat, was convicted by the District Magistrate, Lahore, on July 4 and ordered to pay a fine of Rs. 75 or in default to undergo 3 months imprisonment for reciting a poem at a public meeting.

Sardar Pala Singh has been sentenced by the District Magistrate, Amritsar to rigorous imprisonment for a period of one year under Section 124, I. P. C. for an alleged seditious speech at Harsa Chinna on 4th April last.

Sardar Sohan Singh of Amritsar, a Congress worker, was sentenced to a year's rigorous imprisonment for delivering seditious speeches at Harsa Chinna and at Jonsi.

Two years' rigorous imprisonment was awarded to Gani Shanker Singh, General Secretary of Shiromani Akali Dal on a charge of sedition for two speeches delivered in September last.

Sardar Kapur Singh was given six months' rigorous imprisonment by the District Magistrate, Amritsar, for two alleged seditious speeches in April last.

The Ooty Bank Raid Case prisoners, Khushiram Mehta, Prem Prakash and Hazari Singh detained in the General Jail, Lahore, Panjab as Madras prisoners, when they threatened hunger-strike were ordered to be released by the Madras Government last week. Immediately after they came out of the Jail they were served with notices under the Criminal Law Amendment Act, directing them to leave the Punjab by the first available train.

Mr. Devendra Nath Mudli, Secretary of the Kharagpur Town Congress Committee was served with a notice under Section 108 Cr. P. C. to show cause why he should not be directed to execute a bond of Rs. 500 with two sureties of the like amount each to be of good behaviour for a period of one year. The charge against him is that he had disseminated seditious matter on May 31 last at Sakuahat and on June 12 last at Kuirai.

Mr. Mudli was served with another notice asking him not to hold meetings as Secretary of the Town Congress Committee within the jurisdiction of the Kharagpur Thana without the previous permission of the Sub-divisional Officer, Kharagpur.

Bhai Dhian Singh, a political worker of Jandiala, Panjab, on his release from the Lahore Central Jail after undergoing Penal servitude for about twenty years, has been interned in his village for a period of two years.

Police made a lathi charge to disperse a procession of about 30 villagers found in the compound of the District Court, Amritsar, to greet some of the prisoners who were being brought from the Judicial lock-up for trial.

#### DELHI :—

Delhi police have arrested over thirty members of the worker's League and Railway Porter's Union for demonstrations expressing sympathy for persons who were arrested and convicted on July 22 for observing general hartal.

Delhi Government has demanded a security of Rs. 1000 from "Azad", the organ of the Local Muslim League for the publication of some alleged objectionable articles.

Delhi Government have demanded under Section 7 (1) of the Indian Press (Emergency Powers) Act, 1931, an advance security of Rs. 1000 from Mr. Sadullah Khan, President of the TheLawalas Union, Delhi, when he applied for permission to bring out a weekly paper called "Mazdoor Dunia".

#### BENGAL

Mr. Satyendra Nath Majumdar, Editor, "Ananda Bazar Patrika" and S. C. Bhattacharya, Printer and Publisher of the same paper, were convicted on July 18 by the Presidency Magistrate, Calcutta, to six and three months' rigorous imprisonment respectively on a charge of sedition for an article "Condition of Political Prisoners in the Midnapore Central Jail" in their paper of March 2 last.

Additional Chief Presidency Magistrate found Mr. B. N. Bhattacharya guilty of sedition in connection with a speech delivered by him on February 13 last on the question of release of political prisoners and sentenced him to pay a fine of Rs. 200 or in default to undergo three months' rigorous imprisonment.

Mr. G. N. Plucknott has been ordered from Bengal for a period of 14 years with effect from August 13, 1938 under the Goenda Act.

Jonah Sheik and 24 other members of All Bengal Krishak Samity of Calcutta were directed under Section 107 C. P. C. to furnish bonds of Rs. 300 each with two sureties of the like amount to keep the peace for one year. They are alleged to have gone into the village and made objectionable speeches.

Raniganj Pottery Works strikers who came in procession to Calcutta to meet Mr. Subhas Chandra Bose were distressed by the police. Two of the strikers were arrested.

Messrs. Arjun Dev Kapoor, Shiv Raj Kapoor and Visnu Dutt have been prosecuted for alleged causing hurt to a Jamadar of Banga Town Police to deter him from duty.

**TRAVANCORE STATE :—**

The Diwan issued a Criminal Law Amendment Regulation, modelled after the Criminal Law Amendment Act passed in British India during the non-cooperation days. The Travancore State Congress and the All Travancore Youth League were declared unlawful associations. Their offices were closed and their property confiscated.

An order prohibiting him from addressing meetings was served on Mr. N. C. Sekhar on August 10 by the District Magistrate, Trivandrum. He was subsequently arrested and convicted for breaking the order.

Mrs. Kamala Devi who was invited to preside at the Youth League Conference was also served with a restraint order by the Magistrate. When she disobeyed the order she was arrested and taken out of the State.

Messrs. P. G. Shridhar, Shrikantan Nair and N. Thanu Pillai, all officers of the Youth League were arrested on August 23 including Mr. K. Damodar who presided at the Conference.

Messrs. Pattam Thanu Pillai, President of the State Congress, T. M. Varghese, Vice-President, N. P. Nilakanta Pillai and K. T. Thomas, Joint Secretaries and G. Rama Chandran of the All India Congress Committee were under arrest.

The State Military has reinforced the local police in many places. Thrice firing has occurred, first at Noyyatinkara on August 31, then at Quilon on September 2 and then at Kottayam on September 5. Seven died as a result of firing at Noyyatinkara and five at Quilon and one at Kottayam. Besides many were injured.

The licence of the "Malayalam Manorama" has been cancelled and their press has been sealed. There was no previous notice nor was any order served on any one.

Mr. K. P. Nilakanta Pillai and Mr. G. V. Mathew who were arrested for offering civil disobedience in Quilon have been sentenced each to 18 months' rigorous imprisonment and a fine of Rs. 1300, in default three months' further imprisonment.

The residences of Mr. K. T. Thomas, Mr. K. P. Nilakanta Pillai, and Mr. Madhava Warriar were searched on August 27.

Printing of any newspapers, books, pamphlets etc. likely to have a tendency directly or indirectly to excite disaffection or further the objects of unlawful associations is also penalised.

At Quilon G. R. N. Pillai and M. G. Mathew and at Kottayam Mr. E. John Philipose were arrested, tried and sentenced to 13 months' imprisonment and Rs. 1600 fine.

At Alleppy Mr. P. K. Kunju Pillai were sentenced for similar offence to 7 months and Rs. 350 fine each.

Messrs. Pottom Thanu Pillai and T. M. Varghese were sentenced to one year's simple imprisonment and Rs. 800 fine for disobeying prohibitory orders at Trivandrum.

Mr. P. J. Sebastian, M. L. A., was sentenced on August 30, to 13 months' imprisonment and a fine of Rs. 1,600.

An order has been served on Mr. P. Balakrishnan Thampi, Deputy Leader of the State Congress Party in the Assembly prohibiting him from speaking at public meetings for a period of 15 days.

Messrs. V. K. Velayudhan, Deputy Leader of the Congress Party in the Assembly and R. Sugathan, General Secretary of the Coir Factory Workers' Union were sentenced to 18 months' rigorous imprisonment and Rs. 1,000 fine or in default 4 and a half months' more.

Mr. V. K. Mathew, Mr. A. K. Pachupillai, Advocate, and Mr. M. J. Joseph, all of Kottayam were sentenced to 12 months' imprisonment and Rs. 500 fine.

Mr. K. M. B. Pillai, Advocate and Mr. S. Kumaraswamy were sentenced on September 5, to 6 months' imprisonment and Rs. 500 fine.

Messrs. C. Kesavan and K. S. Pillai, Working Committee members were arrested.

At Quilon on September 9, Mr. K. Kesavan, member, Travancore Assembly and K. Govindan, Secretary, Quilon Factory Workers' Union were arrested.

At Kottayam Mr. R. V. Thomas, member, State Assembly and Mr. David Maha Pillai, Vakil, Mr. Gopala Pillai, Secretary, Kottayam Youth League were arrested.

**MYSORE STATE :—**

Permission, it is reported, was refused by the Government to Mr. N. C. Thimma Reddy, Advocate and a prominent political leader for starting a weekly called "Swarajya".

Similar permission has been also refused to Mr. G. R. Swamy for editing a Journal called "Matribhumi". No reasons were given for refusing those permits. A Bill is there in the State Assembly to amend the drastic Mysore Press Act. British Indian Press Act makes provision for demanding advance security but not for outright refusal.

Government of Mysore have passed orders prohibiting entry into the State of "Prajasakti" a Kannada weekly, published in Hubli.

#### **NILGIRI STATE :—**

A procession was taken out on August 10 in contravention of the State's regulations. Fire was opened and one is reported to have been killed and a number injured. Mr. Banmali Das, Secretary of the Praja Mandal has been arrested, over ninety have been tried on charges of leading unlawful processions and have been sentenced mostly to six months' imprisonment and very heavy fines.

The Secretary of the Praja Mandal, Mr. Banmali Das was arrested on August 3 under Section 124A for sedition.

Police on August 12 opened fire to disperse a procession and one was killed.

#### **ALWAR STATE :—**

Mr. Jainarayan Vyas, General Secretary of the All India States' Peoples' Conference for an alleged breaking of the provision of the Seditious Meetings Act of 1921 has been ordered to leave the Alwar State.

All the political prisoners in the Alwar Jail are reported to have taken to hunger-strike as a protest against the State's refusal to allow them trial in open court, right to engage defence counsels of their own choice and being given bar-fetters.

L. S. Tripathy Narayan and Indra Singh Azad have been sentenced to two years' and Radhacharan and Nathuram Modi to one year's hard labour.

#### **KEONJHAR STATE :—**

Mr. M. Pradhan and Mr. N. Mahapatra have been sentenced to six months' imprisonment for enrolling members for the Orissa States' Peoples' Conference under Section 107 Cr. P. Code. Three more have been arrested on the same charge.

#### **DESPALLA STATE :—**

Notices under Section 144 have been served on Mr. Paru Chandra Nail of Balasore and Mr. Chaitanya Misra of Despalla State ordering them not to enter the State. They are accused of being instrumental in instigating subversive activities in the State.

#### **KASHMIR STATE :—**

The District Magistrate, Kashmir, has served a notice on "Hamdard", a nationalist weekly asking them not to issue the special number of the paper which was to be published in commemoration of the Responsible Government Day which was to be celebrated throughout the State on August 5.

Raja Mohd. Akbar, Provincial President of the All Jammu and Kashmir Muslim Conference who stood charged with sedition has been sentenced to three years' rigorous imprisonment and a fine of Rs. 100.

The Additional District Magistrate, issued an order under section 108 calling upon four prominent workers, Mr. Mohd. Syed and Mr. Ghulam Mohd. Sadiq, members of the State Assembly and Mr. S. M. Abdulla, President of the Muslim Conference and Sardar Budh Singh, to show cause why they should not be bound down for one year to keep peace. A few days before this the District Magistrate of Srinagar had declared section 144 for a period of one month banning all public meetings and processions. Defiance of the order started. Seven persons including Mr. Abdulla were arrested. Spread of unrest has resulted in 47 arrests in the city and 31 in the districts.

#### **KALSIA STATE :—**

The District Magistrate, Kalsia State, has promulgated Section 144 in village Chirk, banning meetings and delivering of speeches within a radius of seven miles. The order is to remain in force for two months. This order is a sequel to the agitation carried on by Kirti Kisan Workers against the State. The posting of punitive police at Marwa Khurd in the State is reported to be creating great unrest in the villages and the Peasants' Committee have asked for its immediate removal. A severe lathi charge on picketers on September 12 is reported.

**NABHA STATE :—**

The authorities became panicky when the Nabha Praja Mandal arranged for a Flag Hoisting Ceremony. According to the President of the Praja Mandal, Pandit Anantaram, President of the Phool Congress Committee, Mr. Nariram, General Secretary and Sardar Gurbachan Singh, President, Nabha Congress Committee along with twenty-two other congressmen were arrested in the Congress Office, Ludhiana, and taken to Nabha. The local Congress Office was searched and all documents were seized by the police. A War Council to resist repression has been formed.

**UDAIPUR STATE :—**

Has issued a notification prohibiting the formation of Societies, holding of meetings and taking out of processions without the previous permission of the authorities. The Police are authorised to prosecute guilty persons, disperse unauthorised meetings and prohibit the distribution and exhibition of such notices and pamphlets as are likely to lead to feeling against the State.

**HYDERABAD STATE :—**

Government on September 6 issued a Public Safety Regulation which will be enacted into an Act within six months. Under the Regulation undesirable outsiders will be very strictly supervised. Such persons already in the State will be liable to arrest without warrant, summary deportation with maximum penalty of one year's rigorous imprisonment and a fine if such deportees return to the State. The Commissioner of Police, Hyderabad, and First Talukdar have been vested with special powers in this connection as well as for carrying out searches of houses and buildings for undesirable outsiders. Hotels and restaurants are required to maintain a careful register of all their lodgers on pain of 3 months' imprisonment.

By a Gazette Extraordinary issued on September 7 the Government have banned under the Public Safety Regulation, promulgated the previous day, the formation of the Hyderabad State Congress. The Congress has been banned not for anything it has said or done but because the Government are satisfied on their own enquiries that it will be "constituted on communal lines and animated by communal and subversive ends." No reasons are given in support of their allegations.

The Government have also prohibited from entry into the State 21 newspapers of which eleven are from Bombay.

## The Working Committee Proceedings

Wardha—11th. December to 16th. December 1938

A meeting of the Working Committee was held at Wardha from 11th to 16th December, 1938, Shri Subas Chandra Bose presided.

The members present were : Maulana Abul Kalam Azad, Shreemati Sarojini Naidu, Shris Jawaharlal Nehru, Vallabhbhai Patel, Jairamdas Daulatram, Bhulabhai Desai, Pattabhi Sitarammaya, Sarat Chandra Bose, Shankarrao Deo, Marekrishna Mahtab, J. B. Kripalani.

### (1) SUPPLEMENTARY BUDGET

Resolved that the following supplementary Budget for the year 1938-39 be sanctioned. Rs.

(i) Travelling Expenses for the members of the Parliamentary Sub-Committee	1,200
(ii) Expenses for Treasurer's Office	600
(iii) Bannu Enquiry Expenses	457

Note : Messrs Bachchraj & Co. Ltd., of Bombay were doing the work of the Treasurer's office with the help of their staff for which they charged nothing from the A. I. C. C. Funds. They requested that a grant of Rs. 600 per year may be made for the expenses incurred by them in this connection.

### (2) GRATUITY TO LATE SHRI ABDUL WAHEED'S WIDOW

Resolved that a monthly allowance of Rs. 20 be paid to the widow of Late Shri Wahed, Typist in the A. I. C. C. office for a period of five years from November, 1938.

(8) NEXT CONGRESS SESSION—DATE

In accordance with the request of the Reception Committee of the next Congress to be held at Tripuri, (Mahakoshal) following dates were fixed for the meeting of the Subjects Committee and the Open Session.

(i) Subjects Committee—7th, 8th, 9th March 1939.

(ii) Open Session—9th 10th 11th March 1939.

The following resolutions were passed :—

(4) LATE MAULANA SHAUKAT ALI

The Working Committee express their great sorrow at the sudden death of Maulana Shaukat Ali and place on record their deep appreciation of his invaluable sacrifices and service to the cause of India's freedom.

(5) INDIAN STATES

The Working Committee welcome the awakening of the people of the Indian States in many parts of the country and consider this as a hopeful prelude to the larger freedom comprising the whole of India, for which the Congress has laboured. The Committee support the demand for civil liberty and responsible government under the aegis of the Rulers in the States and express their solidarity with these movements for freedom and self-expression. While appreciating that some Rulers of the States have recognised this awakening as a healthy sign of growth and are seeking to adjust themselves to it, in co-operation with their people, the Committee regret that other Rulers have sought to suppress these movements by banning peaceful and legitimate organisations and all political activity and, in some cases, resorting to cruel and inhuman repression. In particular the Committee deplore the attempt of some Rulers to seek the aid of the British Government in India to suppress their own people, and the Committee assert the right of the Congress to protect the people against an unwarranted use of military or police forces, lent by the British authorities, for the suppression of the legitimate movement of the people for responsible government within the States.

The Committee desire to draw attention afresh to the resolution of the Haripura Congress which defines Congress policy in regard to the States. While it is the right and privilege of the Congress to work for the attainment of civil liberty and responsible government in the States, existing circumstances impose certain limitations of this work, and considerations of prudence prevent the Congress from interfering organisationally and directly in the internal struggles of the States. This policy was conceived in the best interests of the people, to enable them to develop self-reliance and strength. It was also intended as a measure of the good-will of the Congress towards the States and of its hope that the Rulers, of their own accord, would recognise the spirit of the times and satisfy the just aspirations of their people. Experience has proved the wisdom of this policy. But this was never conceived as an obligation. The Congress has always reserved the right, as it is its duty, to guide the people of the States and lend them its influence. With the great awakening that is taking place among the people of the States, there must be an increasing identification of the Congress with the States' people.

The policy laid down by the Haripura Congress, which has been so abundantly justified, must continue to be pursued. While, therefore, the Working Committee welcome the movements in the States for the attainment of responsible government they advise the people not belonging to the States concerned against taking part in civil disobedience and the like. Participation by such people will bring no real strength to the movement and may even embarrass the people of the States concerned and prevent them from developing a mass movement on which strength and success depend.

The Committee trust that all movements in the States will adhere strictly to the fundamental Congress policy of non-violence.

(6) CONGRESS MEMBERSHIP

The Working Committee have received reports from various parts of the country to the effect that some of the membership registers contain names of fictitious persons or those who have not fulfilled the qualifications for membership. In certain instances, it is reported that groups of people have been nominally made members, their subscriptions having been paid by someone else. The Committee are

strongly of opinion that such fictitious membership must be ended, and all names that are found, after due enquiry, not to fulfil the qualifications of membership must be removed from the rolls.

2. The Congress has prided itself in the past not only on its inspiring objective of freedom for India's millions but also on the purity of its methods and it is by adhering to these methods that it has achieved success in its high tasks and built up a reputation worthy of the great cause it served. While welcoming millions of our people to its membership rolls and deriving vitality and strength from the sympathy of scores of millions of others, the Congress has held that its effectiveness as a fighting organisation lay in the disciplined workers in its ranks and not merely in a large ineffectual membership.

3. The Working Committee therefore are of opinion that immediate and effective steps must be taken to inspect and revise all membership registers, with a view to make them conform with reality and the rules of the Congress. The Committee desire and request all Provincial Congress Committees to undertake this task at an early date and to complete it at the latest by the 31st of March 1939 when a full report of the steps taken should be presented to the office of the A. I. C. C. In the course of this inquiry, as errors are discovered in the membership rolls, they should be immediately rectified and the names of fictitious or unqualified persons removed. The inquiry should not interfere with the course of the various elections during the next three months, except in so far as corrections are made from time to time in the membership rolls. The General Secretary of the A. I. C. C. will give every assistance to the P. C. Cs in this inquiry.

4. The Working Committee are further of opinion that certain rules of procedure and constitutional changes are necessary in order to prevent the enrolment of fictitious or unqualified members, to make Congress a stronger organisation of effective workers. These rules must ensure that existing qualifications, like the rule requiring habitual wearing of khadi, are strictly adhered to, and further qualifications are laid down for all office-bearers and members of elective committees in the province. Such further qualifications should be as laid down in Clause 6 below, subject to the period of continuous membership being varied having regard to the nature and functions of the committee concerned, such as, district, taluqa, thana or mandal committees.

5. Every primary member will be entitled to vote at any Congress election only if he goes personally to the office of his primary committee, gets his name registered in a separate roll of voters, and obtains a voters card. Provided that in the case of women, people who are ill, and those who may be absent from their primary area, registration may be effected by correspondence or through some other person.

6. The Working Committee recommends that Article V of the Congress Constitution be amended so that the following qualifications, in addition to the habitual wearing of khadi, be laid down for those seeking election as delegates to the Congress.

(i) Continuous membership of the Congress for the three years previous to the date for election; provided that it shall be open to the Provincial Executive or other competent body to reduce this period for any particular candidate, more especially in individual cases for women, political prisoners, minorities and backward classes.

(ii) The candidate must have performed a prescribed task for the Congress during the previous year, such task being either spinning personally by hand at least 5000 yards of yarn or doing some other task prescribed previously by the Provincial Executive. All candidates must have a certificate stating that they have performed this task and fulfilled this qualification.

7. The Working Committee invite P. C. C. Cs. to make further suggestions for the amendment of the constitution or the framing of rules in order to strengthen and purify the Congress organisation.

#### (7) CONGRESS AND COMMUNAL ORGANISATIONS

Resolved that for the purposes of Article V (c) the following organisations are declared as communal organisations :—

(1) The Hindu Mahasabha.

(2) The Muslim League.

Article V (c) reads: "No person who is a member of any elected Congress Committee of a communal organisation, the object or programme of which involves

political activities which are in the opinion of the Working Committee, anti-national and in conflict with those of the Congress.

### (8) RATIO

Since the fixation of the ratio at 1s. 6d. to the rupee all trade interests in India and public bodies have protested that this measure was against the vital economic interests of India and insistently demanded its revision. The Government of India have hitherto resisted all these attempts and last issued a communique on the 6th of June, 1938 declaring that it did not intend making any change in the ratio for the time being and in support of that declaration sought to rely merely on the instability and uncertainty during the period of readjustment which according to them was likely to cause greater loss to Indian interests than any corresponding gain from a change to a lower ratio.

Since June last, the balance of trade has turned more and more against India. The Committee are of opinion that the rate of exchange of 1s. 6d. to the rupee has hit hard the agriculturists of this country by lowering the price of agricultural commodities and has given an undue and unfair advantage to imports into this country.

The Working Committee are satisfied that the rate of 1s. 6d. cannot any longer be maintained on the balance of trade. During the last seven years that rate has been maintained by the large exports of gold which have been very injurious to the country. Matters have now reached a stage when the rate can only be maintained by a policy of contraction of currency and credit and by further depletion of the gold and sterling resources of India and particularly of the paper currency reserve. Those sterling resources have already been used up to an alarming extent and there is a danger to further serious depletion taking place if efforts continue to be made by the Government of India to maintain the present ratio. The Working Committee look upon such prospect with the utmost concern and anxiety.

In view of this situation, the Working Committee have come to the conclusion that the best interests of the country demand that efforts to maintain the present exchange level should henceforth cease and urge upon the Governor-General-in-Council the necessity of taking immediate steps to lower the rate to 1s. 4d. to the rupee.

### (9) PALESTINE

The Working Committee have passed resolutions from time to time dealing with the changing situation in Palestine and sympathising with the struggle of the Arabs to maintain their political and national integrity. Reports are continuously coming in from a variety of reliable sources of unnamable atrocities committed by the British Army and Police on the plea of maintaining law and order in this mandated Territory. The courage, determination and sacrifices made by the Arabs in this life and death struggle have evoked the admiration of the people of India who once more wish to convey to them their good wishes for complete success in the attainment of their objective.

The Working Committee wish to express their condemnation of the ruthless policy now being pursued by British Imperialism in Palestine which must lead to grave consequences, and reiterate their opinion that the issue of the future government of Palestine should be left to be decided on the principle of self-determination.

While sympathising with the plight of the Jews in Europe and elsewhere, the Committee deplore that in Palestine the Jews have relied on British armed forces to advance their special claims and thus aligned themselves on the side of British Imperialism. The Committee trust that Arabs and Jews will endeavour to find a basis for direct cooperation with a view to establishing a free democratic State in Palestine with adequate protection of Jewish rights.

### (10) INDEPENDENCE DAY

Resolved that the anniversary of Independence Day, January 26th, be celebrated all over the country and the form of pledge, as taken last year, be repeated at public meetings.

#### PLEDGE—

"We believe that it is the inalienable right of the Indian people, as of any other people, to have freedom and to enjoy the fruits of their toil and have the necessities

of life, so that they may have full opportunities of growth. We believe also that if any government deprives a people of those rights and oppresses them, the people have a further right to alter it or to abolish it. The British Government in India has not only deprived the Indian people of their freedom but has based itself on the exploitation of the masses, and has ruined India economically, politically, culturally and spiritually. We believe therefore that India must sever the British connection and attain Purna Swaraj or Complete independence.

"We recognise that the most effective way of gaining our freedom is not through violence. India has gained strength and self-reliance and marched a long way to Swaraj following peaceful and legitimate methods, and it is by adhering to these methods that our country will attain independence.

"We pledge ourselves anew to the Independence of India and solemnly resolve to carry on non-violently the struggle for freedom till Purna Swaraj is attained."

#### (11) REPRESENTATIONS OF MUSLIMS IN CONGRESS COMMITTEES

The Working Committee issued the following instructions to the Provincial Congress Committees with regard to the representation of Muslims in Congress.

The Working Committee having learnt that in some local committees Muslims are not sufficiently represented advises all committees to arrange for their adequate representation. This representation should be, if necessary, provided for in the constitution but meanwhile conventions should be established to give effect to it.

#### (12) CHANGES IN PROVINCIAL CONSTITUTIONS

##### *Vidarbha and Sindh—*

The Committee sanctioned the changes made by the P. C. Cs of Vidarbha and Sindh in their respective constitutions.

##### *U. P.*

The following resolution was passed: "The Working Committee approves of the amendments sent by U. P. P. C. C. in its Constitution, excepting the portion relating to qualifications and disqualifications of Congress delegates which require changes in the Constitution of the Congress before they can be given effect to."

##### *Nagpur—*

The Committee approved of the amendments in the Constitution of the Nagpur P. C. C. except the clause which authorises the President of the P. C. C. to nominate three members to the P. C. C. The Committee was of the opinion that nomination to Committee was against the spirit of the Congress Constitution.

##### *Burma—*

In view of the special position assigned to Burma in the Congress organization the Constitution submitted by the Burma P. C. C. framed on the old lines when Burma was a province of India was not sanctioned by the Committee. The Committee were of the opinion that a special Constitution be made for separate Burma in consonance with the peculiar position that it occupies in the Congress organization. In the meantime the Committee assigned to Burma 20 delegates and 3 members of the A. I. C. C. to be elected according to the rules of the Constitution submitted by the Burma P. C. C.

#### (13) CONGRESS AND MUSLIM LEAGUE

The Committee considered Mr. Jinnah's letter dated 9th Oct. 1938 from Karachi. It is the opinion of the Committee that in view of the position taken up by the Council of the Muslim League no useful purpose will be served by prolonging the correspondence with the League. The President was authorised to write to Mr. Jinnah closing the correspondence. The following letter was written by the President to Mr. Jinnah:

Dear Mr. Jinnah,

The Working Committee have considered your letter of October 10, 1938 and regret the decision contained therein. Since the Committee do not find it possible to agree with the Council of the Muslim League as to the basis of the negotiation and since the Council insist that an agreement as to the basis is a *sine qua non* of any negotiations between the Congress and the League, the Working Committee regret that they are not in a position to do anything further in the direction of starting negotiations with the League with a view to arriving at a settlement of the Hindu-Muslim question.

I am sorry for the delay in replying to your letter but I did not want to say anything till the Working Committee met and considered the matter.

Since the previous correspondence has been published already, I am taking the liberty of issuing this to the press.

#### (14) FUND CREATED FROM EXCESS ALLOWANCE IN NON-CONGRESS PROVINCES

It was decided that 25 per cent of the fund created from excess allowances of Congress members of the Legislatures in non-Congress provinces, be spent at the discretion of the President of the P. C. C. and the Leader of the Congress party in the Legislature, for general Congress work in the province.

#### (15) SRI PATTABHAI FOR CEYLON

There was a desire expressed by the Ceylonese Indians that some members of the Working Committee should visit Ceylon for the purpose of studying the condition of Indians there and establishing contacts. The committee requested Sri Pattabhai to visit Ceylon to study the situation there and establish the necessary contacts.

### The President's Tour

The Congress President's tour in the Punjab lasting from the 25th Nov. to 2nd Dec. evoked great popular enthusiasm. The President had a most strenuous programme to carry through, during the brief period. This was followed by a visit to Sind where he stayed for three days.

He was in Lucknow from the 19th to 23rd Nov. prior to his Punjab tour in response to an invitation to open the Khadi and Industrial Exhibition.

People assembled in their thousands to listen to the Congress President as he sped from place to place. All classes of people, peasants, labourers, students, intellectuals, industrialists and others joined in welcoming the President and thereby testifying to the extensive hold of the Congress on the country.

The burden of the President's speeches throughout his tour was the need for discipline and unity, the need for a well-knit and organised party both for winning India's freedom and retaining it when it is won, and use the freedom won for putting through a comprehensive socio-economic programme for raising the moral and material level of the country.

### Congress Ministry in Assam

On December 8, a no-Confidence motion was moved in Assam Assembly by Mr. Maqbul Hussain Choudhury against the Congress Coalition Ministry. It was negatived by the Assembly by 54 votes to 50, one member remaining neutral.

The no-Confidence motion was the occasion of a full dress debate on the policy and programme of the Bardoloi Ministry which had assumed responsibilities of office barely two months ago. The oppositionists voiced their strong criticism of the policy so far pursued by the Ministry. The Leader of the European Group expressed doubts and apprehensions which were agitating the European Community in Assam in respect of the hostile attitude of the Congress party against their interests. Shri Gopinath Bardoloi answered these doubts and criticisms and expounded the policy of the Congress Party. He expressed his readiness to face general election if the Assembly so desired.

### The Planning Committee

The Industries Ministers' Conference held at Delhi in October last passed a resolution appointing a Planning Committee (the personnel of which was to be announced later by the Congress President) with a view to undertaking preliminary work in connection with a comprehensive industrial plan for the whole of India. The following is the personnel of the Committee as announced by the Congress President:

*Chairman*—(1) Sri Jawaharlal Nehru. *Members*—(2) Sir M. Visvesvarayya, (3) Prof. Meghnad Saha, (4) Sri Purshottamdas Thakurdas, (5) Dr. V. S. Dubey, (6) Sri A. K. Shaha, (7) Sri Ambalal Sarabhai, (8) Dr. Nazir Ahmad, (9) Sri A. D. Shroff, (10) Prof. K. T. Shah, (11) Prof. J. C. Ghosh. 12. Sri Kumaramma, Secretary, A.I.V.I.A. was co-opted as a member of the Planning Committee by Sri Jawaharlal Nehru, the Chairman of the Committee.

The first meeting of the Committee was held at Bombay on Dec. 18. It was inaugurated by the Congress President and presided over by Sri Jawaharlal Nehru.

In inaugurating the conference and requesting Sri Jawaharlal Nehru to accept the responsibility of presiding over the deliberations of the Committee, Shri Subhas Chandra Bose made a survey of the special problems which the Committee had to face and removed certain misconceptions about the place of cottage industries in the national planning scheme.

Pandit Jawaharlal who made a short speech pointed out that any kind of national planning which was divorced from the rushing torrents of the national movement would lose touch with living realities.

At the conclusion of the National Planning Committee the following official communique was issued :

"The Planning Committee appointed two Sub-committees to report by to-morrow on the budget, the office and secretariat of the Committee ; the other Sub-committee was to draw up the questionnaire which was to be issued to the various Provincial Governments, States and other public institutions concerned. This questionnaire will be considered by the full committee on Tuesday next. The committee decided to authorise the Chairman to co-opt representatives of the All-India Village Industries Association and organised labour".

The National Planning Committee sat for four more days. Besides discussing the lines on which the work of the Committee should be conducted it prepared an elaborate questionnaire to be addressed to various Provincial Governments, Indian States and Industrial organisations. The Committee also passed the following resolution :

"The Planning Committee is of opinion that the various Provincial Governments should create provincial and where necessary, inter-provincial river commissions for the regulation, development and control of various rivers and water-ways for the purpose of providing the following :

- Water for agriculture and Industries,
- Hydro-electric power,
- Cheap transport,
- Prevention of erosion, silting and floods, and
- Safe-guarding the health of the people.

The Committee was further of the opinion that the Planning Commission should also consider and deal with problems of the shifting of river beds.

### The Indian States

The last few months have witnessed the growth and spread of the movement for responsible government in Indian States. The contrast between the unrest of today and the inertia of yesterday is striking. Many causes account for this rapid and widespread change not the least being the Haripura Resolution on Indian States. This resolution, though seemingly unfriendly, has proved a Godsend. It made a direct appeal to the self-respect and self-reliance of the people of the States with results that we all witness to day. A few outstanding examples of this great awakening are given here.

#### KASHMIR :—

A land deservedly famous for its natural wealth and bounty is politically one of the most backward and materially one of the poorest of the Indian States. An illiterate, half-starved peasantry forms a considerable section of the population. Until recently they suffered patiently the burdens that a top-heavy administration placed upon them. But for some time now there has been a stir and awakening among them. A movement is afoot for the democratisation of the administration and the establishment of representative institutions.

The movement was at first led and conducted exclusively by the members of one community, namely Muslims, constituting as they do the bulk of the population ; but now the base of the movement has been broadened and Hindus and Muslims are working together for the common cause. There is repression of this movement and as is the way of repression it grows by what it feeds on. Arrests, fines, searches and lathi charges are regular features of this repression. The policy of arrests has its limitations. The jails even if they are emptied of non-politicals have but limited accommodation. There is therefore increasing resort to the policy of fines and such other forms of repression. It is not uncommon for the sons of youngmen to be

visited on their fathers, uncles and other relations and in the absence of these on their neighbours.

It will be news to many that several parts of Kashmir are in a state of martial law since 1931. A Notification was promulgated in 1931 to meet an emergency. It was withdrawn when the emergency ceased. But it was again promulgated on June 1, 1933 to meet another emergency which is still supposed to continue. Obviously the word emergency has reference to the popular upheaval in the States threatening existing privileges. To have an idea of this repressive and drastic notification some of its provisions may be quoted here.

*Section 3 of the Notification :* (1) A competent authority (all military State officers, District Magistrates of Jammu and Kashmir and all police officers of and above the rank of sub-inspectors) may arrest without warrant any person against whom a reasonable suspicion exists that he has promoted or assisted to promote or intends to promote disaffection against the authority of Government or that he has acted or intends to act in a manner prejudicial to the restoration or maintenance of law and order.

(2) In making such arrests a competent authority may use any means that may be necessary.

(3) A competent authority making such arrests shall forthwith commit any person so arrested to jail in Srinagar. Provided that no person shall be detained in custody under this section for a period exceeding one month.

*Section 4: Power to control turbulent persons :* (1) A competent authority if satisfied that there are reasonable grounds for believing that any person has promoted or assisted to promote or intends to promote or intends to assist any disaffected person, or has otherwise acted or intends to act in a manner prejudicial to the restoration or maintenance of law and order, may by order in writing, direct that such person :—

(a) Shall not enter reside or remain in any area specified in the order.

(b) Shall reside or remain in any area specified in the order.

(c) Shall remove himself from and shall not return to any area specified in the order or

(d) Shall conduct himself in such manner, abstain from such acts or take such order with property in his possession or under his control as may be specified in the order.

(2) An order made under Sub-section 1 shall not remain in force for more than one month from the making thereof.

(3) An order made under sub-section shall be served on the person to whom it relates in the manner provided in the code for service of summons.

*Section 7 of the Notification :* 1. Power to take possession of immovable property. Where in the opinion of a competent authority such action is expedient in the furtherance of any operation being carried out by any military forces or the police, for the restoration or the maintenance of the law and order or the protection of property, such competent authority may after recording an order in writing and stating his reasons :—

(a) Take possession of any land and construct military works including roads thereon, remove any trees, hedges and crops therefrom.

(b) Take possession of any land or building together with any property thereon whether movable or immovable including works for the supply of electricity or water and any source of water supply.

(c) Take such steps as may be expedient for placing any lands, buildings or structures in a state of defence.

(d) Cause any buildings, structures, trees, hedges, crops or other property of any kind to be destroyed or removed and

(e) Do any other act involving interference with the private rights in property.

2. If, in the opinion of a competent authority any land or building can be utilised as quarters or offices for public servants or for the accommodation of troops, police or prisoners the competent authority may, by order in writing, require the occupier or other person in charge of the land or building to place it at the disposal of the Government at such times as may be specified in the order together with the whole or other things in such manner as it may consider expedient.

*Section 12: Power to control telegraphs.* A competent authority may control the operation of any state telegraph or telephones office or station in any part of the area

for which he is appointed and in particular may intercept any telegraphic or telephonic message, in the course of transmission, may ascertain its contents and may prohibit its further transmission.

*Power to enforce orders.* If any person disobeys or neglects to comply with an order made, direction given or condition prescribed in accordance with the provisions of this notification or of the rules made thereunder the authority which made the order gave the direction or prescribed the condition may take or cause to be taken such action as it thinks necessary to give effect thereto.

*Penalty for disobeying order under Section 4 or Section 9.* Whoever disobeys or neglects to comply with any order made or direction given in accordance with the provisions of Section 4 or Section 9 shall be punishable with imprisonment which may extend to three years or with flogging not exceeding 30 stripes or fine extending to Rs. 1,000.

#### *Orissa States :—*

The repression that is going on in Dhenkanal, Talchar and some other States of Orissa is of the most savage and ferocious description. It is incredible the way the machinery of repression is being worked in those small States and equally incredible also the way the people, the half-starved, illiterate and superstitious peasants are standing up to this repression. Praja Mandals are formed in these States which have for their objectives the removal of the burdens that are crushing the peasantry and other classes, and the establishment of responsible government. These objectives are a manifest threat to the established privileges of the ruling class. The latter are therefore unable to see the signs of the times or the essential rightness and justice of the peoples' struggle. The voluntary suffering of the innocent may ultimately help the rulers to see this. But for the present the ambit of repression is growing wider and there is no knowing when it will end. News of arrests, beating, torture of every description, destruction of property, confiscation of crops, lathi and elephant charges, firing and the like reach us in an unending stream. The armed police surround the villages and let loose a reign of terror. Nothing is safe—men, women, children, property, honour, decency, and everything that humans value. All this goes on but the princes and the paramount power go their accustomed way. British troops are sent to bring sense to the awakened people. The terror stricken peasantry is emigrating to British Indian territories.

#### *Hyderabad :—*

Hyderabad is about the wealthiest and most powerful among the Indian States, but it is terribly backward in the matter of civil liberties and elementary popular rights. Unlike Kashmir, Hindus form the bulk of the population and it is therefore natural that any movement that may be initiated for securing civil liberties and the establishment of representative institutions in the State, should have among its supporters, far more Hindus than Muslims. The Hyderabad State Congress which is in the main conducting the struggle is absolutely non-Communal in its conception and the way the struggle is being conducted lends no colour to the charge brought against it, by the authorities, that it is a communal organisation. Yet the authorities seek to suppress its activities on the plea of communalism. It would appear that the Hyderabad administration like Kashmir is so thoroughly nationalist in outlook that it would not tolerate communalism in any shape or form! However this pretext of communalism under which the State Congress is sought to be suppressed deceives no body.

The Hyderabad Administration imposed a ban on the formation of Congress on Sep. 7. This was resisted by a formal campaign of civil disobedience in which many leaders and workers were arrested. To further moot the situation a Public Safety Regulation was promulgated. Under it many have been interned and many externed. Twenty-one newspapers have been prohibited entry into the State. A Book "What I saw in Hyderabad" has been proscribed.

The agitation is drawing within its ambit all classes of people, intellectuals and masses alike. More and more people are offering themselves for arrest.

It may be noted in passing that the Hyderabad Residency Order Extraordinary issued on Nov. 23 publishes a notification bringing into operation the Indian States Protection Act II of 1934 in the British Administered areas of Hyderabad.

Besides the Hyderabad State there are other organisations also which carry on agitation in the State for democratising the administration and securing elementary civil liberties. The simultaneous launching of agitation by the State Congress and other organisations which are mainly communal in their inspiration and outlook create a delicate

situation for the Congress. Under the advice of Gandhiji and other Congress leaders the State Congress has suspended their satyagrah in order to make their position absolutely clear and also to give an opportunity to the Government of the Nizam to review the situation.

"The decisive cause" says the Working Committee of the Hyderabad States Congress in the course of a press statement "for the suspension of Satyagraha has been the advice given by Mahatmaji, Pandit Jawaharlal Nehru and other Congress leaders, that in order to make our position absolutely clear, it was essential that we should suspend civil disobedience. They say that suspension would give the Government of the Nizam an opportunity to review the situation. We could not disregard the advice of the leaders whose sympathy and support are always a valuable asset in the conduct of the struggle for Swaraj within the State.

"We suspend civil disobedience in the hope that it will not need to be revived. But whether it will have to be revived and if so when will depend wholly upon the State authorities. It is not without a wrench that we are suspending the struggle when more than 400 of our comrades are undergoing imprisonments varying from 2 months to three and half years.

"We hope that the Government of the Nizam will recognise the wholly peaceful and loyal motive underlying the suspension. We hope that they will release the civil disobedience prisoners and lift the ban of the States Congress and its activities and pave the way to the inauguration of a scheme of responsible government consistently with reasonable safeguards for the rights of the minorities.

"No one should run away with the idea that suspension of civil disobedience is suspension of the movement for responsible government."

*Rajkot :—*

The struggle in Rajkot, an important State in Gujrat, is assuming an epic character. The struggle has attracted widespread attention throughout the whole of British as well as Indian India. It is, as elsewhere, a struggle between irresponsible autocracy buttressed by British authority on the one hand and the forces of progress and popular awakening on the other. Its outcome bids fair to have a decisive influence on the course of events not merely in Rajkot but in all other States. The struggle has a pronounced economic aspect. The State holds monopolies for many articles of daily use such as matches, grain etc. which press heavily on the poor people.

Lathi charges, arrests, banning of meetings and processions are the usual weapons used for suppressing the popular movement. Half a dozen British Indian, Gujrat Journals have been banned entry into the State. Batches of volunteers sent from Bombay were arrested immediately on their arrival in the State. Shri Balvantrai Mehta, the General Secretary of the All India States Peoples Conference, is among those arrested. Miss Maniben Patel, daughter of Sardar Vallabhbhai Patel, who participated in the struggle, to help her sisters in Rajkot has been arrested. Mridula Sarabhai who through her mother belongs to Rajkot took Sri Maniben Patel's place in the struggle. She too was clapped in jail.

As though to prove the growing strength of the popular movement the State administration have now issued a communique declaring the Rajkot Praja Parishad unlawful. With the issuing of this notification the struggle has entered upon a more intensive and a more critical phase.

Within a few days of the promulgation of this notification came a call from the Thakore Sahib of Rajkot to Sri Vallabhbhai Patel in Bombay for an interview. On Dec. 26th was announced an agreement between Sardar Patel and the Thakur Sahib which brought to a successful end the brave struggle of the people of Rajkot. It was a triumph not only for them but for the people of the States in general. Once again the non-violent method of struggle for the redress of political wrongs stands vindicated. The agreement arrived at after a prolonged discussion of eight hours between the Thakore Sahib and Sri Vallabhbhai is as follows :—

After having observed the growth of popular feeling and the regrettable sufferings of our people during the last few months for the redress of what they have considered to be their grievances and after having discussed the whole situation with the Council and Vallabhbhai Patel we are convinced that the present struggle and sufferings should end immediately.

We have decided to appoint a committee of ten gentlemen who should be subjects or servants of our State, three of whom will be State Officers and seven subjects of our States, whose names will be declared hereafter.

The President of the Committee will be a person appointed by His Highness.

This Committee shall draw up, by the end of January, after proper investigations a report to us recommending a scheme of reforms so as to give the widest possible powers to our people consistently with our obligations to the Paramount Power and with our prerogative as a Ruling Chief.

It is our desire that our Privy Purse shall henceforth be regulated in the manner laid down in the circular of Chamber of Princes.

We desire furthermore to assure our people that we have intended to consider and give effect to the scheme that may be referred to us by the said Committee.

It being understood that all unconstitutional agitation shall immediately cease as a necessary prelude to restore peace and goodwill, we hereby grant full amnesty and release all political prisoners, remit all fines and withdraw all repressive measures.

The papers reported that Sri P. Cadel, the Dewan who was responsible for much of the repression at Rajkot was asked by the Thakur Sahib to relinquish his charge of Dewanship. He is reported to have insisted on continuing upto the end of March, 1939, the period for which his contract with the State lasts. He is also reported to have made representation in this behalf to the Viceroy. The latest press reports however announce that he is leaving the State on the 4th January, 1939.

#### **THE MEWAR STATE (UDAIPUR)**

Is one of the premier States in Rajputana. Wrapped up in mediæval slumber it too is showing signs of awakening. More than 100 persons have been arrested for being political suspects or members of the Mewar Praja Mandal declared unlawful by the State Administration. Nathdwara, a place of pilgrimage in the Mewar State, was the scene of a cruel lathi charge on an innocent assembly of a few hundred people who had gathered together to register a protest against the repressive policy of the State.

We have news of arrests, externments, bans, searches and the like from a number of other States also. Travancore is far from quiet. Baroda, Indore, Cochin, Patiala etc. are all having their share of popular awakening and its inevitable concomitant repression by the State authorities.

### **Arrests and Searches Etc.**

The following are some of the cases of arrests, convictions, internments, externments, searches, gagging orders and the like compiled from the daily press and the bulletins of the Civil Liberties Union.

#### **PUNJAB:—**

Mr. Krishna, a Congress worker of Alohar, was arrested under Section 124 A for making alleged seditious speech at Dhubwali.

Ujagar Singh Bhora, Vice President of Rajkot Congress Committee was sentenced to one year's rigorous imprisonment under Section 124 A for an alleged seditious speech delivered during the Rajkot Municipal elections.

Khan Abdul Ghaffar Khan Anbalvi was sentenced to six months' imprisonment for a speech delivered during the last Municipal elections.

An order was served on Mr. Chaman Lal Azad, a prominent Socialist, under Section 3 of the Punjab Criminal Law Amendment Act, 1905 directing him to reside within the revenue limits of Batala and not to take part in any political activities.

Thirty-two Congressmen of village Shaukar have been arrested under Section 107 Cr. P. C. on orders issued by the District Magistrate, Ludhiana.

Chaudhari Sher Jang has been externed. An order under Sections 108 Cr. P. C. has been served on Dr. Bhag Singh asking him to show cause why security of Rs. 5,000 should not be demanded from him. It is in connection with a seditious speech at Thathia.

Thakur Veniyam Singh, a Congress worker of Una has been arrested.

Nino socialist workers of Moga Tahsil including Sardar Baahan Singh, Shri Kohar Singh, Shri Gaina Singh, Baba Chanan Singh, Sardar Hardit Singh, Sudhu, Thakar Govind Singh, and General Secretary of the Kisan Committee, Moga have been

served with orders under Section 3 of the Punjab Criminal Law Amendment Act internment them in their village and prohibiting them from taking any part in political activities.

Bhai Naini Singh who had recently returned from Argentina was arrested and detained at Lahore fort.

Sardar Ishar Singh Majhail, Hon. Secretary of the Sikh National College, Lahore is being prosecuted under Section 5 of the Punjab Criminal Law Amendment Act for alleged disobedience of the internment order.

Restrictions have been placed on the movements of Batukeshwar Dutt who was released from Patna jail on September 9. His entry into Bengal, Delhi and the Punjab has been banned by the respective Governments.

Sardar Gureharan Singh, Editor, "Kirti Lohar", Meerut, and Joginder Singh Shant were sentenced to six months' and one year's rigorous imprisonment each for inciting Kisan Jathas to defy restraint orders under Section 144.

Sardars Gurdit Singh Kainwal, Babu Desai Singh, Messa Singh and Sundar Singh were also sentenced by the same court to six months' rigorous imprisonment each for a similar offence of alleged inciting speeches.

Mr. Yog Raj, General Secretary, District Kisan Committee, Lahore, was sentenced to one year's rigorous imprisonment under Section 177 for inciting a Jatha to defy Section 144.

Sardar Hardan Singh who returned from the United States of America a year ago has been, it is reported, interned in his village Bandala.

Twenty-two socialists including some prominent men are being prosecuted on charges of rioting at a public meeting held last September to protest against the anti-Recruitment Bill.

Sardar Kartar Singh, Secretary, District Kisan Committee, Lahore was arrested on September 22 while addressing a Kisan Political Conference in a nearby village.

Sardar Jalwant Singh, Kisan Leader has been served with a notice under the Punjab Criminal Law Amendment Act internment him in the revenue limits of his village.

Kundan Singh, a peasant worker of a village near Lahore has been arrested for alleged apprehension of the breach of the peace.

Sardar Jogendar Singh and Sardar Hazara Singh, both kisan leaders have been sentenced to six months' rigorous imprisonment under Section 117 I. P. C. for inciting the kisan marchers to defy the orders under Section 144.

Early September Lahore Police raided the house of Chaudhury Rahmat Ullah, President of the District Kisan Committee.

The Police on September 18 searched the house of Mr. Kali Charan Sarma, a former Secretary of the City Congress Committee, Ludhiana.

The booklet "Dukhi Dunia" by Kartar Singh has been proscribed under the India Press (Emergency Powers) Act, 1931 Section. 4 (1).

Issues Nos. 24, 25, 27 and 29 of "Kirti Lohar", published in Meerut too have been proscribed.

Sardar Naina Singh, a political worker, on his release from the Lahore Fort where he had been detained for the last two months under the Punjab Criminal Law Amendment Act, has been interned in his village in Kapurthala State. Mr. Singh recently returned from Argentina after a stay of about seven years.

Sixteen persons of the village Laroya (Punjab) including 8 Congressmen stand charged under Section 107 Cr. P. C. security proceedings.

Mr. Bhagat Singh Bilga, General Secretary, Jullundur District Congress Committee has been served with an internment order under Section 3 of the Punjab Criminal Law Amendment Act, restricting his movements to the limits of his village for a period of one year.

Amritsar District Magistrate convicted and sentenced Sardar Ishar Singh Majhail to six months' simple imprisonment for defiance of restriction order.

Balwant Singh Dukhia, General Secretary, District Congress Committee, Hoshiarpur, has been served with an internment order under Section 3 of the Punjab Criminal Law Amendment Act, asking him to remain for one year within the limits of his native village, Bainshalam.

The police has served an internment order on Comrade Shinga Singh, a prominent socialist worker of the Punjab, restricting his movements to the revenue limits of his village.

Thirteen people were arrested in connection with the picketing of the Hindi Bhawan Press at Lahore.

An advance security of Rs. 1,000 has been demanded by the District Magistrate, Lahore, for the publication of a daily called "Sacha Dhadora" the declaration for which was filed by Mr. H. S. Dord.

Mr. Narayan Singh of Chak Sikandar in Amritsar District is reported to be under arrest under Section 124-A I. P. C. in connection with his alleged seditious speeches at Chhina and Jonso in May last on the Fetehtwal incident.

Fifteen congress workers of Tulamba, Multan, have been arrested under Sections 170-151. The charge against them is that they compelled sweepers to strike and picket the school.

Seven prominent congressmen including the President of the Multan District Congress Committee who addressed the framers of a private farm have been arrested on charge under Section 326-148 and challenged before the first class Magistrate, Khanewal.

Seventeen volunteers of the Press Workers' Union, Lahore, were convicted on November 19 and ordered to furnish security of Rs. 500 each to keep peace for six months or to undergo imprisonment for 6 months.

An order forfeiting the security of Rs. 1,000 of the Nami Press, Lahore, was served by the Punjab Government on November 26 on Mr. Parmanand, Keeper of the Press. Action was taken for publishing an article in connection with the arrest of Mr. Santam, Pleader of the Nabha State in the "Malva", a newspaper published from Moga and printed in the Nami Press.

#### **BENGAL :—**

Mr. Altaf Rahman is being prosecuted for sedition in connection with a speech delivered at a labour meeting on July 6 under the auspices of the Indian Seamen Union, Calcutta.

Altaf Rahman was sentenced to two months' rigorous imprisonment on a charge of sedition by the Chief Presidency Magistrate, Calcutta, in connection with his speech delivered at a public meeting held in Willingdon Square on July 6.

Under the orders of the Government of Bengal, the special branch of Calcutta Police prosecuted Abul Kamil and Fahimuddin Ahmad, Editor and Publisher respectively of "Istiqlal", an Urdu daily of Calcutta under Section 153-A I. P. C. (Promoting class hatred).

Police Magistrate, Sealdah (Bengal), sentenced Mr. Narendranath Ghose to one year's rigorous imprisonment for violating Government order externing him from the Presidency area.

On police reports, that there is apprehension of a breach of the peace in connection with demonstration for the observance of the 23rd as a day of cessation of all work, the Chief Presidency Magistrate, Calcutta, issued restraint order under Section 144. Similar orders were also served on eighteen labour leaders.

The strike among the workers of motor buses in Howrah has been continuing for the last 10 days. So far 21 have been arrested in this connection.

In Howrah and Bally orders under Section 144 Cr. P. C., banning open air meetings and demonstrations of any sort have been passed.

The Government of Bengal by a gazette notification declared forfeited all copies of the issues for December 1936 and March 1938 of the monthly magazine in Gujarati called "Azad Damau".

The same gazette also announces the forfeiture to his Majesty of all copies of a Bengali booklet, entitled, "November Viplavo Amader Kartavya" (the November revolution and our duty), by Bharat Ray.

Mr. Dharitri Ganguli, President of the North Calcutta Students League and a member of the Working Committee of the Bengal Provincial Students Federation was arrested on November 15 in Calcutta on a warrant issued by the Aliporo Magistrate under Section 124-A.

Gyani Mehar Singh was sentenced on November 14 by the Aliporo Magistrate to one year's rigorous imprisonment.

Notices under Sections 107 and 117 Cr. P. C. were served on the Secretary, Calcutta Jamadars Samiti and President of the Textile Workers Union and several other workers asking them to show cause why they should not be ordered to execute security bonds to keep the peace for one year.

Three important members of the Shellac Factory Workers Union, Cossipore have been arrested inside the mill in connection with a stay-in-strike.

Section 144 has been declared in Sankrail and Sibpore, Howrah, following a meeting of the labourers on September 10.

The Police Superintendent, Chittagong has issued an order prohibiting for three months all political processions without license within the municipal area.

Police made a lathi charge in the Badruchak colliery on September 27 when an attempt was made to prevent black legs from going underground. Eight of the leaders were arrested. Section 144 has been promulgated prohibiting assembly of more than five persons.

Fourty-four workers have been taken into custody during the first week of October on charge of wrongful restraint and riotous conduct in Burra Bazar, Calcutta. Trouble has been brewing among them in connection with their grievances as regards wages and work on Sundays and holidays.

The Police raided on September 10 the house of Dr. R. K. Sanyal of Natore. Nothing incriminating was found.

By a notification issued on September 14 the Government declares forfeited all copies of the "Political Prisoner Number" of the 'Kosari', a Calcutta weekly.

The Government have demanded a security of Rs. 2,000 under the Indian Press (Emergency Powers) Act from 'Kosari' for publishing the special number on Political Prisoners. The paper is reported to have suspended publication.

#### HYDERABAD :—

The ban on the Hyderabad State Congress was imposed on September 7. Five leaders were immediately arrested and nine of their successors nominated from time to time have all been arrested under the Public Safety Regulation, recently promulgated as an emergency measure. Pandit Narinderji has been interned at Mannanore and a number of persons exterred. A book entitled "What I saw in Hyderabad" by Pandit V. Sastri has been proscribed. Twenty-one newspapers have been prohibited entry into the State.

On November 17 Mr. N. K. Rao, eighth dictator and some others were arrested and on the next day his three organising secretaries were taken into custody. Mr. Coder and eleven others who arrived from Poona on the 19th were arrested when they refused to return. On November, 21, Mr. Manidhochand Phade, leader and three others were arrested. On November 23, Messrs Digambar Rao, lawyer, S. S. Sharma, R. Candared, K. Balraj were taken into custody by the Hyderabad City Police for attempting to organise a public meeting in connection with the All Hyderabad Day. On November, 24 at Bhongir seven persons were arrested. Mr. R. Nandapukar, Scimnulu and Murlihar have been awarded one year's rigorous imprisonment under the Public Safety Regulation. The same punishment have been awarded to Mr. L. N. Reddy. Twenty-five passive resisters were convicted and sentenced on November 23 to varying terms under the Public Safety Regulation. Four volunteers were taken into custody on the 29th in Osmanabad District for taking out a procession.

The Hyderabad Residency Order Extraordinary issued on November 23 publishes a notification bringing into operation the Indian States (Protection) Act II of 1934 in the British Administered Areas of Hyderabad.

#### COCHIN :—

Mr. George Chadayamuri and Mr. P. S. Mambudiri, two prominent labour leaders, were arrested at Amballur in connection with a speech which it is alleged was calculated to incite class hatred.

#### RAJKOT :—

The fight for freedom in Rajkot continues with the defiance of prohibitory orders followed by lathi charges and arrests. The second batch of Bombay volunteers were arrested on November 15 immediately on their arrival. Mr. Trivedi and few other leaders who tried to enter Mavdi village, were injured in a lathi charge. Mr. Dhoobar, President of the Rajkot Praja Parishad has been sentenced to six months' imprisonment. Mr. R. Doshi, Mr. V. Pannachand and seven other volunteers were arrested and sentenced to three months' imprisonment and a fine of Rs. 100. The importation of banned newspapers in Rajkot, Jotalsar, Jamnagar and Morvi railway limits has been prohibited by the resident for a term of two months under Section (1) 3 of the Indian States Prevention of Importation of Objectionable Documents Rules. There was a serious lathi charge on November 18 at Kankot village. Another batch of Bombay Volunteers was arrested on November 22. Among the arrested is included Mr. Balvantrai Mehta, General Secretary of the All India States

Peoples Conference who led the batch. Messrs Shah and K. Bodani, Pleaders of Rajkot were convicted and sentenced on November 26 to three months' imprisonment and a fine of Rs. 300. On November 27 Mr. Jagjiram Mehta, a member of the Working Committee of the Kathiwar Political Conference was arrested while addressing a public meeting along with J. Baxi, Advocate and B. Shukla. About eighty arrests were reported from the village on November 28. Sri Maniben Patel and Mredulla Sarabhai was arrested.

#### TRAVANCORE :—

(1) Mr. V. T. Abraham, Vakil, Quilon was sentenced to six months' imprisonment and a fine of Rs. 1,000 (2) Messrs. M. G. Koshi, P. G. Varghese, members of the Quilon Bar, M. K. E. Ebrahim Kutty, Editor, "Aryakeralam", K. Sukumaran, Editor, "Kaumudi" and K. S. Thangal were sentenced to 14 months' rigorous imprisonment and a fine of Rs. 1,500 each. (3) Mr. A. Sankaran Pillai was arrested and his house searched on September 17. Nothing incriminating was found. (4) Mr. C. Damodaran Nair along with 22 others were ordered to enter into a bond for Rs. 500 and also to furnish two solvent sureties for like amount for preserving public peace for a period of one year, in default to undergo simple imprisonment for one year. (5) Messrs. M. P. Mathai Muthalali, M. R. Nilkantan, Vakil, and P. V. Thomas were sentenced under the new Criminal Law Amendment Regulation to undergo 18 months' rigorous imprisonment and a fine of Rs. 1,500 each. (6) Mr. A. Sankaran Pillai, Advocate, was sentenced to six months' simple imprisonment and Rs. 500 fine. (7) Messrs. R. Vasudevan Pillai, third State Congress President, M. N. Paramaswaran Pillay, M. L. C. and R. Gopalan Pillai were sentenced to 18 months' rigorous imprisonment and Rs. 1,000 fine. (8) Mr. K. N. Kanhukrishnan Pillai, Advocate, was awarded six months' simple imprisonment and a fine of Rs. 500.

The following newspapers have been banned entry into the State :—The "Disyam" of Ernakulam, "Prakasam" of Cochin, "Gomathi" of Trichur and "Malayala Manorama" now published from Kottayam.

Miss Anne Mascarene, member of the Working Committee of the Travancore State Congress, has been arrested on a charge of sedition in connection with a speech delivered at Chairayinkal.

Mr. P. N. Krishna Pillai, M. L. C., President of the Travancore Coir Factory Workers Union, was arrested under Section 90 Cr. P. C.

The term of the ban on labour meetings and demonstrations has been extended by one month in Ambalapuzha Taluk.

#### DHENKANAL STATE :—

The local Praja Mandal has been declared an unlawful body. Mr. Haremoan Patnaik, President of the Mandal was arrested on September 23 for sedition. In a police firing to disperse a crowd four are reported to have been killed and 100 injured.

For the seventh time Dhenkanal police opened fire on an unarmed crowd and killed according to Government version two. The toll takes on a conservative estimate exceeds twenty. According to a bulletin issued by the State People's Conference more than 200 are in jail after the release of some of the politicals on the Ruler's Birthday.

#### TALCHAR STATE :—

Criminal Law Amendment Acts have been promulgated in the State from September 16 last, Talchar Praja Mandal and its branches have been declared unlawful.

#### INDORE STATE :—

Deportation orders were served, it is reported, by the Inspector General of Police on three of the political workers—Messrs. Lal Singh Yadava, Kusum Kant Jain and Kanahyalal Vaidya. Agitation has been going on in the State against the Public Meetings Prevention Act and Mr. Vaidya has been reported for attempting to organise public meetings.

#### BARODA STATE :—

The Lavat peasant fight for civil liberties is passing through a critical phase. All public meetings are banned in the area and the entry of peasant workers has been prohibited by putting up a police cordon round Lavat. The place is a vast prison camp. The Secretary of the Gujrat Kisan Sabha, Mr. P. M. Pangarkar courted arrest by defying the ban and has since been sentenced to two months' imprisonment. A lathi charge by the police on the peasants is also reported.

# The All India Hindu Mahasabha

20th. Session—Nagpur—28th. December 1938

## The Welcome Address

The 20th. Session of the All India Hindu Mahasabha was held at Nagpur on the 28th. December 1938 under the presidency of *Sri Vinayak Damodar Savarkar*. The Chairman of the Reception Committee, *Mr. M. G. Chitnavis* in the course of his welcome address said :—

This is the 20th Session of our All India Hindu Sabha which organization has grown up from a small beginning under the able leadership of All India Leaders like Pandit Malviya, Bhai Parmanand, Dr. Munjo & now the brilliant star—like personality of Barrister Savarkar who has shouldered the burden of the Hindu Sabha and by his extensive tours throughout the length and breadth of India has regenerated the Hindu Society and instilled life and energy into our efforts.

Up till very late period the Hindu Mahasabha as will be seen from its resolutions satisfied itself with the religious and social side of its subject laying stress on Shuddi and Saughatan and removal of untouchability and when occasion arose criticising the communal award. So far in almost every session though we were proclaiming that the Hindus do not want Hindu Raj in defiance of the rights of other sister communities and passing resolutions condemning riots and in the same breath wishing to promote good feelings with aggressors, we now have to come to the conclusion and have openly to say and retaliate that Hindustan is not only for Mahomedans but mainly for Hindus, that if the Mohomedans non-cooperate, the Hindus single-handed will contend with both the rulers and Mohomedans for establishing their just rights which at present they feel have been snatched from them and are trampled under foot, that they will do every thing whatever lies in their power to show their resentment against the Congress itself for their cooling spirit, defeatist mentality, cringing attitude which make them run after mohomedan leaders and bend their knees before them in submission and accept their high-handed demands and forego our rights at each discussion, tension, friction, or scene created, and we feel that the Congress has not right to stand on behalf of the Hindus and bargain our rights to a third party without consulting us. We also feel that the Hindus must be strong enough to resist every aggression by any other community who on some excuse or the other create disturbances, commit atrocities on the Hindus, despise them, show contempt for them and their religious observances and generally regard them as their inferiors or enemies fit only for conversion or annihilation.

We have before us the very pitiable example in Kashmir of the whole community of Hindus of not less than 95 p.c. of the old Hindus turned into Mohomedans and only 5 p.c. of those now remain unconverted. Will any one think that this 5 p.c. represent the great vedic religion and what guarantee is there that we outside Kashmir may not meet with similar fate in years ahead. Similarly think of once Aryan lands of Persia, Afganistan, N. W. F. P., Punjab, Sind and even Gujrat where in the former almost the whole and in the latter majority of them have been converted and our friends have become our rivals. Are we to live for ever under the protection of the British bayonets even in times of smallest disturbances of public peace and with what face can we say that we can govern ourselves and maintain Swarajya? Let us, therefore, depend upon ourselves, be self-reliant, possess self-respect and let us strive to gain respect from others which cannot be done without real inherent merits. We have before us a vast programme as will be seen from the number of resolutions coming up in this session all directed towards the elevation of this Bharat Samaj.

The whole history of the two communities in India and none the less the ultra-tolerant efforts of our leaders at reconciliation resulting in complete failure, their respective philosophies, their religions have proved beyond doubt that the elements are so divergent that it is impossible to mix them up even temporarily & the only solution lies in strengthening the Hindus, creating a solid front of opposition and thus

begotting respect which is naturally felt for the strong and j turned into contempt when we show ourselves disorganized, w and unable to resist the unjust demands.

quality is  
abmissive

This is sufficiently borne out by the recent utterances of the League in their conference held at Karachi. Sir Abdulla Haroon, Reception Committee has openly challenged as follows :—"We have at the parting of the ways and until and unless this problem is solve of all it will be impossible for any body to save India from being divided into Hindu India and Muslim India both placed under separate federation." Bar. Jinnah also adroitly attacked the already over-biasod obliging, Congress with the words "Just as the Sudetan Germans survived oppression and persecution for two decades the Mussalmans of India were not defenceless and could not give up their national entity and aspirations" and showed how the persecutors can still further try to snatch pieco after piece by showing themselves as aggrieved.

Both the British and the Mohamedans are over ready to take advantage of our weakness and ever since the beginning of the present century there is the black record not of give and take but only of usurpation at the cost of the Hindu Community. The bell was set ringing since after the partition of Bengal when the Mohamedans were given a favourite place and the thin end of the communal wedge was pushed in Indian politics. Since then, the Hindus were treated most unfairly and attempts after attempts were made to harass them and to wound their religious feelings, the excuses for aggression being found in obstructing the religious observances of the Hindus such as music before mosque and insistence on cow slaughter in each and every place both of which rights, that is, the one of passing with music and the other, that is, regulation and prohibition of the slaughter of cows by non-Hindu communities, had been enjoyed by the Hindus for centuries.

Besides these, there were other unjust and inequitable practices particularly that of favouritism in Civil and Military services when ultimately the scene opened with the ushering of reforms after the great war and the "Favouritism for Mohamedau" was given due recognition under the statute. The Government of India Act was passed where in it was even thought a crime to use the word "Hindu" and Mohamedan and non-mohomedan terms were selected as the best terms showing that the Hindu community was relegated to the refuge heap, and had to go begging for seats to the conferences and committees working thousands of miles away in England.

Everybody knows what havoc has been caused in the Punjab and Bengal—the Moslem majority provinces—by separate electorates and overgenerous pacts by the Congress at the expense of the Hindu Community, with the result that the Hindu Community finds itself hopelessly out-maneuvred and any sort of legislation can be passed against it which will spell ruin to this Hindu Community. Such actually was the case of Bengal Tenancy Bill, Bihar Income Tax Bill, the Black Bills of Punjab, the Punjab Land Alienation Act Amendment Bill, the Restitution of Mortgages Bill and the Protection of Debtors' Bill by which the very lands of the Hindus have been snatched away from them and their long standing business has been wiped out in Punjab.

In both the above mentioned provinces besides the separate electorates the Mahomedans have been given statutory weightage out of all proportion to their population while in the Hindu majority provinces the weightage has been given only to the muslim minorities. No principles of common courtesy, of ordinary justice, considered opinions of Local Governments nor findings of any commission stood in the way of the most unjust, partial, unprecedented award which formed the basis of the Government of India Act and exceeded all the previous attempts at favouring one community at the expense of another.

The same thing has been repeated in one or other degree in C. P., U. P., Bombay where in the latter the weightage with the Sind and with the separation of Sind constitute a peculiar inexplicable mode of dealing with the inherent rights of majority population by a foreign, soulless pitiless autocracy in the outward form of democracy. The same British Government which dealt so inconsiderately with the Hindus had to deal with the mighty dictatorships of Italy and Germany in and outside the League of Nations and time has shown what humbler part they have played. The everlasting truth always counts and those who strive and acquire strength have not to preach the gospel of conciliation, cooperation and non-violence and to ultimately find themselves vanquished.

In the Lucknow, in the Nehrū Report, Round Table Conferences and other approaches whenever. There had been attempts to reconcile with the Mohomedans the Hindus had always to take the defensive and to sacrifice their interests. They have done so also in respect of the depressed classes who have been artificially separated as a separate unit of the Hindu Community.

It will not be right for me to leave out of account the cases of the premier States, that of Hyderabad and Bhopal, where the treatment meted out to Hindus have become proverbially harsh, partial, unjust liberally amounting to negation of all the rights a human being is supposed to enjoy in any civilized country. Let us therefore pray that our leaders who are fighting our battle against such oppression of the Hindu Community and the Arya Samaj Sholapur Conference under the presidency of Loknayak Madhav Shrihari Aney have complete success and let us spare no effort, sacrifice, courage and perseverance to exact our rights as citizens-rights of liberty, equality and fraternity with full proportionate representation in the guidance of the state affairs.

The hypocrisy of the Congress in shutting its eyes whenever a fight against Muslim interests is indicated is never clearly illustrated than here in the question of these Muslim States and we only hope that our Hindu brethren, who have seen their kith and kin suffering all sort of insults, indignities, assaults, hurt and even mortalities without the least provocation will open their eyes and save themselves and their future generations from being blindly led by an organisation defiantly and heedlessly unmindful of our present and future interests as an Arya Hindu Community.

But even apart from our open rivals of other communities and religions we have to be more afraid of the enemies within our fold than of open enemies in defiance. Those Hindus who are inimical and even indifferent to our unity as Hindus, our unification and organisation, have to be equally even more minutely assessed. Similarly we have to deal with our religious and social customs which in these days of rational philosophy and scientific advancement go against our future progress as a nation and disable us from accomplishing any honorable position in the comity of nations. We daily read instances happening in foreign countries where even our best of leaders and distinguished personages are treated with disrespect and which blot it is our duty to remove at any cost and try to go forth in the world as respected and honoured citizens and countrymen.

Lastly I will deal in short with a few economic problems without which we as a nation cannot survive and which problems are equally important for our preservation and progress as are our social and political problems. I would even go so far and say that these problems affect the Hindus more because of the diplomatic policies of our rulers and the aggression of our sister communities, as exemplified in recent communal legislations in the Punjab and Bengal.

The present economic and class revolution is more threatening to the Hindus than others and we have to see whether the Congress in power has not allied itself with the ruling power and whether instead of fighting the battle against exploitation, drain, concessions, pacts, agreements etc., sides with them in their policy of exterminating any ago-old evidence of social arrangement into organised classes to pave the way towards anarchy and revolution. Besides the obvious consent of the Congress Government to the present High Taxation Policy this inference can easily be supported by the fact that in the debate over the recent Income Tax Bill the Congress party joined hands with the unpopular Government of India and the opposition of nationalist party led by Mr. M. S. Aney were altogether ineffective.

We have been familiar with the policy of the Rulers of starting religious strifes but now comes in its place the policy of starting class strife and the real solution of the poverty, misery, suffering and hunger of the masses remains as unsolved as ever. A famous economist has raised his voice and appeals to cry a halt to "The Wild Search for new Revenue," a very appropriate phrase, "which is being made not only in the centre but in the secretariat of every province." I will not go into the details of economic measures suggested but the main stops will be a solid opposition to the mischievous Whitehall manipulation in our nation's financial policies, reduction of army expenditure, civil lists, and encouragement of Basic Industries without which there is no hope for the amelioration of masses and the advancement in their standard of living. The whole drain of 50 to 100 crores from India to foreign countries has to be stopped and flimsy promises, empty announcement from highest placed dignitaries intended for peoples' good, engagements of English experts, costly

commissions, departmental shows like that of agricultural industry, etc. and exhibitions only to advertise foreign machinery and thousand or ways by which the Indians have so far been blinded and misled and to be definitely counteracted. As the economics is the very essence of life and as the brunt of the economic laws falls on the Hindus, the Hindu Sabha will have to interest itself more and more not only with the political but also with the economic aspect of the policy of the Government and frame its resolutions in that domain also.

In order to substantiate what is said above and to show the result of such policy I can quote nothing better than the resolution and quotation from the meeting in Calcutta of the Associated Chamber of Commerce composed both of Europeans and Indians. The resolution moved by Mr. A. G. Stokes of the Bengal Chamber of Commerce says: "This Association draws the attention of the Government of India to the high level of Taxation in India, made the more serious by the unjustified continuance of temporary taxes imposed to meet emergency conditions and calls for an early review of the evidence of such taxation—Central, Provincial and Municipal—upon the Commerce, Industry and Trade of the country". Mr. Stokes who refers to several temporary taxes, surcharges and surtaxes which were promised to be removed, high revenue duties going up to 45 p. c. or even higher, Cesses, Income Tax which with supertax rises to about 36 p. c. In the end he even goes so far as to say that compared with England our burden of indirect taxation is certainly heavier.

We have then to gird up our loins & stop any further violation of our homes, religion and race. Hindu Mahasabha Sessions have by now during the last 20 years been held in all the parts of India including even Madras where the communal tinge was least felt but the people from which part have duly contributed their quota to the cause the Hindu Sabha is cherishing in its heart. Not only does it claim to be representative of the whole of India but it claims to represent each and every community of the Hindus, and has especially clearly and unequivocally demonstrated its sympathies to the depressed classes in every Mahasabha Session and its leaders have taken practical steps to wipe out the degradation of the Depressed Classes.

The fusion of all Hindus is the ultimate aim of the Hindu Mahasabha but every change connotes some essential conditions which the community which at present considers itself in an aggrieved position has to accept before it can come to the desired position. In the meanwhile every community is free to agitate for its betterment and to bring together and amalgamate the sub-castes before wider fusion is attempted. There are so many sub-castes at present that it staggers one's imagination to attempt to realise the vast field and so that it is not only the case of the depressed classes but there are other equally serious questions for the uplift of Indians to tackle.

But while attempting these problems it is imperative that one should not lose sight of the fact that every community has to give its quota towards the All Hindu Sangathan, to ward off fanatical aggressions which are systematically repeated every year as in music before mosque, cow-slaughter, unwarranted factitious claims over religious places such as Shahidganj, Delhi Shiv Temple, Frontier raids etc. and rendered this Hindu Community not an easy prey as it is at present but a solid bulwark for the existence, culture and protection of Hindus and against the wanton aggression of others. A great responsibility, therefore, falls on the educated classes who like those of other nations now have to come forward and take the lead towards the solution of these nation-wide problems affecting themselves and their fellow subjects.

As for federation, our leaders have already given their opinion and the Hindu Sabha approves of the immediate inauguration thereof as against the congress and muslim views, the former demanding popular representation in each and every aspect so as to bring the states in line with the British Provinces. I see no objection to such demand and leave to our Hindu Sabha leaders to suggest early acceptance or rejection of such a constitution with its communal award, reservations, safeguards, unlimited power, discriminations, special powers etc.

### The Presidential Address

The following is the text of the Presidential Address delivered by *Sj. Vinayak Damodar Savarkar* :—

I gratefully acknowledge the confidence you have placed in me in calling upon me to preside over this Twentieth Session of the All India Hindu Mahasabha : I promise you in all sincerity that I will try my best to deserve the trust you have thus placed in me, by exerting in full the limited strength which an individual like me can possess. But you will excuse me if I call upon you in all humility to bear in mind that the only way of justifying yourselves in placing that trust in me can be no other than exerting yourselves in full in striving and fighting heroically to defend and consolidate Hindudom in such wise as to compell Near Future to herald the resurrection of a Hindu Nation rising out of the tomb of the Present and grown even greater and mightier and more resplendent than it ever had been in the past in the days of a Chaudragupta or a Vikramaditya or the Peshwas at Poona. It is nothing short of a political miracle that we Hindus of this generation are called upon to work out, and no individual howsoever great can accomplish the task unless and until the whole Hindudom, rises like one man to dare and to do and to march on unvanquished through the unavoidable valleys of bitter Disappointment and valorous Death—through which alone lies the path to the ultimate triumph of such great causes, of Nations' resurrections. If we quail we are all lost beyond redemption ; if we but dare we are sure to win; for, even today, we possess the power, the volcanic fire within us. We only know it not. Rouse it confidently—and it shall burst forth like into the column of the sacrificial Fire which led the Aryan Patriarchs of our Hindu Race from victory to victory.

2. When I said that it is out of the tomb of the Present that we have to resurrect Hinduism I said it deliberately; so that I may not be guilty of belittling the overwhelming difficulties we have to face today. The Present is indeed a veritable sepulchre into which they have buried our Hindu Nation after crucifying it on the charge of committing the crime of claiming to be a nation by itself. It is needless for me to depict to you, brothers and sisters, who have attended this session to depict the ghastly picture in details of the dreadful calamities which the Hindus from Peshawar to Rameshwar have to face from day to day. The Session of the Hindu Mahasabha is about the last place today where mere sightseers or job hunters can find anything attractive enough to attend it here. All avenues to power, pelf, popularity lead but elsewhere. To be a Hindu Sanghatanist today is not a paying conceit. To be a willing delegate to the Hindu Mahasabha session today is to incur the wrath of powers that be to invite the dagger of a non-Hindu assassin—some "brother" Abdul Rashid, to be slaughtered by some "brave Mopla patriots" and what is more poignant and unbearable than even the dagger of a non-Hindu assassin,—to be hunted and ostracized by millions of one's own Hindu kith and kin for no other fault than of daring to love and defend the Hindu cause and the Hindu people as devotedly and as humanly as the English do the English Race, as the Germans do the German cause, or the Japanese love the Japanese self, the Moslems do the Moslem religion and community. To raise aloft the Hindu banner has become to-day an act of high treason in Hindustan—in the land of the Hindus themselves, to assert one's self as a Hindu is being dubbed as mean by millions of Hindus themselves. The very fact that under such conditions you all have gathered together here as delegates to this session of the Hindu Mahasabha and dared to rally round this Pan-Hindu banner proves it to the hilt that you could not have done so unless impelled by an overwhelming sense of duty, fully conscious of and touched to the quick by the unbearable humiliations to which our Hindu race is subjected to from day to day and fully prepared to defy the intolerable demands of the so-called Indian Patriotism seeking to smother unto death our very existence as Hindus, as a nation unto ourselves.

3. I shall not therefore go into any current and detailed grievances or local questions affecting Hindu interests to-day but leave them to be dealt with severally in the resolutions and speeches on them to be passed and delivered in this session later on. I shall restrict myself to the two outstanding questions : "What is the root cause that has lauded the Hindus in this present predicament striking the life-growth of our Hindu Nation with a sudden atrophy, and the immediate remedy that is sure to rescue the Hindu cause even yet from being lost beyond recovery ?

4. Nevertheless in-as-much-as this address is meant for these millions of Hindus also who still remain outside the pale of the Hindu Mahasabha and who inspite of of their devoted allegiance to Hindutva in general are but imperfectly aware of the dangers that beset it to-day on all sides and wonder therefore why the Hindu Sabhaites should make so much ado about nothing or little things here and there, I feel it incumbent upon me just to denote a few points in passing to acquaint them

with the real gravity of the situation at least sufficiently enough to set them at thinking and in a mood to realize the import of what I have to say later on during the course of the address. Let us just take the constitution in force to-day. The British have deliberately deprived the Hindus of the political predominance which was their due as the overwhelming majority in India by denying them representation in proportion to their population on the one hand and on the other loaded the Moslems, Christians, Europeans with weightages, preferences, securities and what not, so as to invest them with political power immeasurably more than what was their due. They broke up the Hindu electorate into watertight compartments with a view to prevent the growth of their political solidarity amongst themselves, why, the very recognition of the Hindus as an electoral unit themselves is altogether and deliberately denied in the electoral scheme of our country. Spacious apartments well furnished and honourably named are reserved for the minorities. The majority, the Hindu, the host, is crowded into the lumber-room, the general electorate, unnamed and unrecognized. With a set purpose to starve out martial qualities in the Hindus the British Government have been curtailing their recruitment in the army and in the police with the effect that the Moslem minority preponderates in those two vital forces of the nation. In the Punjab and some other provinces measures like the Land Alienation Act seek to crush the Hindus economically while in Bengal an unabashed Act is passed to reserve some sixty per cent. of posts for the Moslems in Government services. In the Moslem states of Hyderabad, Bhopal and others the religious and racial persecution of the Hindus is carried on so relentlessly as to remind one of the days of Aurangzeb and Allauddia. In cities and villages all over India their civil and religious rights are daily trampled under foot to allay the fury of Moslem mobs. The bloody orgies to which the Hindus were subjected by Moslem fanatics in Malabar and Kohat are enacted on this scale or that even in the presidency towns all over India every now and then. The Frontier Moslem tribes carry out raids and perpetrate unnamable atrocities on the Hindu people there with a set purpose of exterminating the Kafir in that region. Only the Hindu merchants are looted, only the Hindus are massacred and only the Hindu women and children are kidnapped and held to ransom or converted perforce to Islam. On the top of it all comes in the Pseudo Nationalism of the Congressites who practically condone and explain away these Moslem atrocities by inventing such lying excuses—"There is nothing anti-Hindu in these Moslem raids! It is only economical and sexual starvation of the tribes that goads them on to these crimes. Let us feed those starved souls and they will be good citizens!" But it is curious that these starved poor raiders leave the rich Moslems in the Frontier towns unlooted, find no young Moslem damsels to kidnap, burn no Moslem houses and go about assuring the Moslems by beat of drums that they shall not hurt a hair of any Moslem provided he shelters not a Hindu Kafir! Witness only the latest case in the Dadu District in Sindh. The Moslem raiders attacked an absolutely unoffending archaeological party under Mr. Mazumbar. They asked each one—"Are you a Hindu?" If he said Aye he was forthwith shot dead. One Hindu pretended to be a Moslem and he was let to go alive and unmolested. This case is only a typical one illustrating thousands of such dreadful happenings all over India and is the order of the day during all Moslem riots and raids from Malabar to Peshawar, from Sind to Assam and year in and year out. Add to this the activities of the all India organizations of the Christian missionaries and the Moslem organizations from the Agakhanis, Hasan Nizamis, Peer Motamiyas to the very village Moslem goondas, all seeking and succeeding in converting millions of Hindus to foreign faiths by peaceful or fraudulent or forceful means throughout the length and breadth of India undermining the religious, racial, cultural and political strength of the Hindus. Add again to all this the political activities of the Moslem Leaguers and the Moslem States that have already culminated into open resolutions first to divide India into a Moslem Federation and a Hindu Federation and then to strike down the latter by inviting invasions from outside India by some alien Moslem powers. Such is the present state of the Hindus in Hindusthan, their own land! And yet the worst factors remains to be told. For, even to refer to these calamities to which the Hindus have fallen a prey is damned as a national sin by that new cult which calls itself 'Indian Nationalists' and leads at present the Indian National Congress. Offering a blank cheque to the Moslems by one hand they deliver ultimatum to the Hindus by the other. "Get looted but don't report, get stabbed but don't shriek, get repressed as Hindus but don't organize to resist it as Hindus; or else you will be damned as traitors to the cause of our Indian Nationalism!!!

5. In the face of these facts who else but a fool or a foe can accuse the Hindu Mahasabha of making much ado about nothing or fancying grievances where none exist or dealing only with some superstitious and empty contents of religious or racial slogans ?

Again, in the face of these facts, what is there that, leaving aside those who continue to be counted amongst Hindus but whose hearts have ceased to respond to their Hinduness or who openly disown any allegiance to Hindudom, we find crores of Hindus all over India every fibre of whose life vibrates with the racial, religious or cultural consciousness of being Hindus, sorely afflicted to see our Hindu race beset by all these calamities and subjected to such unbearable humiliations. On all sides today the anxious question is asked by crores of Hindus—"How are we to remedy this evil ? How is it that we fell ? How are we Hindus to rise again as Hindus and recover our position as a Nation great amongst the nations in the world ?" This recent searching of heart is one of the most encouraging signs to show that the soul of our Hindu race is roused again from the deadly swoon of self-forgetfulness. It is natural that on its return to self-consciousness it should raise these bewildering questions as to its whereabouts.

Although it is not possible to deal exhaustively with these anxious questions that are daily pouring on us from all sides in the limited compass of an address like this, yet I feel that if but I can succeed in pointing out the root cause which has landed us on this sad plight and the immediate step which we must and fortunately we also can take with a view to come out of it, my address will serve its purpose fairly well.

6. In order to find out the root cause, the first initial error which leading us into a series of all derivative errors rendered us Hindus insensible to the very fact that we had a National being at all, we must first have a hurried peep into our racial history.

#### A PEEP INTO OUR HISTORY

It is at least some 5000 years ago, to the Vaidic age that the beginnings of our Hindu Nation could be historically and undeniably traced. Our national ancestors lived and flourished then on the banks of the seven Sindhus and were laying the foundations of a Nation that destined to grow later on into a mighty Hindu Nation. Racially and Culturally they are called Aryans ; territorially they bore the name of the Sapta Sindhus or Sindhus. One of our provinces and its people on the banks of the Sindhu River bear the very same name down to this day and are called Sindh and Sindhus respectively. They crossed the Gangos, the Vindyas, the Godavary in their vigorous & valorous course of colonization and conquest till they reached the Southern and the Eastern & Western limits of India. By an admirable process of assimilation, elimination and consolidation—political racial and cultural—they wielded all other non-Aryan peoples whom they came in contact with or conflict with through this process of their expansion in this land from the Indus to the Eastern sea and from the Himalayas to the Southern sea, into a National unit. Politics and religion vied with each other with a conscious policy of ultimately uniting them all into a national being bound together by the ties of a common religion, common language, common culture, a common Fatherland and a common Homeland. Witness for example the four Dharmas, the religious holy outposts roughly marking four limits of our Holy-land—Badrikedar, Dwarka, Rameshwar and Jagannath, identifying them as demarkatingly as it was then possible within the limits of our Fatherland as well. Leaving mythological period alone even in the period of our definite history the mighty centralised empires of Chandra Gupta Mourya, Chandra Gupta the second, Vikramaditya, Yashovardhan, Pulkeshi, Shri Harsha and such other great Samrats and Chakravartis added to this consolidation of our people and made them vibrate with the stirrings of a common political and national being. Powerful invasions of the Greeks, Shakas, Huns and such other foreign races which threatened our people with a common danger and the mighty conflicts they had to wage to overcome that danger by presenting a common front to it lasting sometimes for centuries votted all the more their consciousness of cultural, political, racial and religious Oneness, making them out as a national unit by themselves, inspite of their internal differences in relation to other non-Indian National units. The long period of peace unmolested by external political danger worth the name that intervened between the ultimate triumph of the Hindus over

the Huns and the invasion of India by Moslem was pre-eminently devoted to the further consolidation of our people and their religious, cultural, racial and political oneness grew so pronounced, definite and conscious that by the time the Moslems came in they found India full grown into a homogeneous Hindu people.

Under the pressure of the Moslem invasions and their consolidation into a powerful Moslem Empire at Delhi political unity of the Hindus from Kashmere to Rameshwar and Sindh to Bengal intensified still more and the name Hindu derived from Vaidic Sapta Sindhu became the honoured and beloved common appellation of our race ever since the days of Prithviraj. Thousands of our martyrs embraced death as 'Hindus' to vindicate the honour of Hindu religion. Thousands upon thousands, princes and peasants alike, revolted and rose as 'Hindus' under Hindu flags and fought and fell in fighting with their non-Hindu foes. Till at last Shivaji was born, the hour of Hindu triumph was struck, the day of Moslem supremacy set. Under one common name 'The Hindus', under one common banner, the Hindu banner, under one common Hindu leadership, with one common ideal the establishment of 'Hindu pada-Padashahi' (the Hindu Empire), with one common aim the political liberation of 'Hindusthan', the emancipation of their common Motherland and Holyland the Hindus rose from province to province till at last the Maratha confederacy succeeded in beating to a chip the Moslem Nababs, the Nizams, Badshahas and Padshahas in a hundred battle fields. The Marathas advanced victorious East West North South dropping their secondary capitals at Tanjavarat, Gunti, at Kolhapur, at Baroda, at Dhar, at Gwalior, Indore, at Zansi, till they reached the Attock. They ruled at Delhi and held the Moslem Mongol Emperors as prisoners, as pensioners and paupers in their camp. The Sikh Hindus ruled in Punjab, the Gurkha Hindus in Nepal, the Rajput Hindus in Rajputana, the Maratha Hindus from Delhi to Tanjore, Dwarka to Jagannath. Thus at last the Vaidic Sindhus had grown into a mighty Hindu people. Hindu Nation, a Hindu-Pada-Padashahi, which is a word used by Bajirao the First himself. If you wish to realise fully how the mighty movement was surcharged with the intense consciousness of Hindutva, how are our martyrs, heroes, victors from Prithviraj, Pratap, Shivaji, Guru Govind, Banda down to the days of Nana Fadnavis and Mahadji Shinde owned and gloried in their National and Religious oneness as Hindus and gloried in the name you may do well to read, for want of a better book, my historical work named 'Hindu-Pada-Padashahi'. Here owing to limited space I quote only a stanza from out of a letter, by way of illustration, written so late as in 1703 to Nana Fadnavis by Govindrao Kalo the Maratha ambassador to the Nizam, so that you may listen to their thoughts in their own word:—"From the river Attak to the Indian ocean extends the land of Hindus. Hindusthan, no Turkesthan. These have been our frontier from the times of Pandavas to Vikramaditya. They preserved them and enjoyed Empires. After them came effete rulers and the Moslems conquered our Kingdom and but now everything has been restored to us and re-won under the Peshavas and by the valorous sources of Mahadaji shinde, the Hindu Empire is established, fame of our victories goes resound all-round.

#### THE HINDU NATION IS AN ORGANIC GROWTH AND NO PAPER-MAKE MAKESHIFT

7. It will be clear from this hurried peep into our history that over since the Vaidic ages for some 5000 years at least in the past our forefathers had been shaping the formation of our people into a religious, racial and cultural and political unit as a consequence of it all growing organically the Sindhus of the Vaidic time have grown today into a Hindu Nation, extending over India and holding India in common as their Father-land and their Holy-land. No other nation in the world, excepting perhaps the Chinese, can claim a continuity of life and growth so unbroken as our Hindu Nation does. The Hindu Nation is not a mushroom growth. It is not a treaty nation. It is not a paper-made toy. It was not made to order. It is not an outlandish make-shift. It has grown out of this soil and has its roots struck deep and wide in it. It is not a fiction invented to spite the Moslems or anybody in the world. But it is a fact as stupendous and solid as the Himalayas own that border our North.

It matters not that it had and it has roots and sections, dissimilarities and differences within its fold. What Nation is free from them? A Nation is not marked out as a separate unit because its people have no sub-divisions and diversities amongst themselves but because they as a whole present a more homogenous unity amongst themselves than they have with all other alien national units; because they

differ definitely and immensely more from all other peoples in the world than they differ amongst themselves from each other. This is the only test that marks out nations in the world. The Hindus having a common Father-land and a common Holy-land and both identified with each other have made their nationality doubly sure and stands this test doubly well. As the running outline of our history sketched above unmistakably reveals, for thousands of years our Hindu people had been definitely conscious of their religious and cultural, political and patriotic homogeneity as a people by themselves, as a Nation unto themselves. What is to be specially noted here for the argument in hand is the fact that down to the fall of the Maratha Empire our people, princes, patriots, poets, preachers and statesmen, all and together strove consciously and continuously to develop and intensify the conception of Hindu nationality and exerted their mighty best to establish a 'Hindupada-Padashahi', a Hindu Empire in India, which they called Hindusthan, the land of the Hindus.

I shall leave the thread of this argument here to be resumed later on when I shall have to point out its special significance in relation to the problems we have to face to-day.

#### THE RISE OF THE CONCEPT OF AN INDIAN NATION

8. We have traced the organic growth and development of our Hindu Nation to the fall of the Maratha Empire in 1818 and the consequent advent of the British rule in India. The fall of our Sikh Hindu kingdom also in Punjab enabled the British to establish an unchallenged supremacy throughout our country. The British had found that all the bloody wars they had to fight in the course of their Indian conquest were with Hindu powers. Moslem as a political factor was nowhere to be faced. The Moslem as a political power was already smashed by the Marathas. The only fight the British had to face single-handed with the Moslem was at Plassey. But it was such an easy affair that they say the British commander won it while he was asleep! Consequently the first anxiety of the British was to see that the Hindu Nation must be undermined, their solidarity as a religious and political unit must be broken. The Moslems came in the picture as a more handy tool in the hand of the British to compass their design. The British even tried the obvious means of converting the Hindus to Christianity by leading political support of the state to Christian missions in India. But the Revolutionary Rising of 1857 led mostly by Hindu leaders opened the eyes of the British to the dangers involved in any open attack against the religion of the Hindus and Moslems alike and the British state ceased to lend any open support to the Christian Church. Then they initiated a policy to undermine the very concept of a Hindu Nation amongst the rising generation of the Hindu youths by introducing a denationalising scheme of western education in India. We have the word of Macaulay himself for that. He points out in one of his private letters to his son-in-law that if his scheme of western education is put into force Hindu youths would of themselves love to get converted to Christianity, to get westernized and consequently affiliated and attached to the British people. Unfortunately for the Hindus his expectations did not altogether miscarry and the first generations of the Hindu youths who took to Western education with avidity were on the whole cut off from their old moorings of Hinduness, of Hindutva. They knew next to nothing of Hindu history, Hindu Religion, Hindu culture and all that they knew of Hindutva was only its weak points which were deliberately represented to them as its essence in such wise as to make them ashamed of being Hindus at all. The Moslems on the contrary kept at a hand's distance from this education and consequently it could not undermine their communal solidarity at all.

But the introduction of the western education in India did not prove an unmixed evil. Contrary to the expectation of its initiators it soon brought in new forces into action which were destined to defeat the purpose it was meant to serve and add to the strength of the Hindus in the long run. But here we are dealing with its immediate effects only.

And the immediate effect of the western education was that the two first generations of Hindus who were influenced by it were totally carried off their feet, they fell in love with everything western. They looked upon the British rule as a God-send. They prayed for its permanence. Fed on the western literature and history and cut off from any contact with Hindu Thoughts and Hindu Policy, they naturally came to the easy conclusion that if but they imitated the west and especially England in every detail of individual and collective life they and their country would be benefitted and saved.

Not that they were not public-spirited or intellectual men. On the contrary these first batches of English educated Hindus were allowed to rise very high in the social and official scale by England and were deliberately taken to be the spokesmen of Indian People—of the "Natives". They got every facility to wield tremendous influence over their own people so that they might import their admiration about the British people and their loyalty to the British rule to their 'Native Community'. They too, with best of intentions wanted to do good to their people and their nation. But their idea of doing good and even their notion of what was good for the nation were entirely outlandish—British—having no relation with the realities obtaining in India.

That was the reason why they naturally thought that their nation mean their country. Like all other ideas and sentiments, their notion of patriotism also was borrowed ready-made from England. They found that the English meant by patriotism love for their country,—the geographical unit England, which they inhabited. All those who lived in England were united into a nation irrespective of religion, race, culture and that was the reason why England had become so consolidated and powerful a nation. The analogy was as simple as attractive. If they too could unite India irrespective of race, religion, culture, caste, creed, their people too might grow into a consolidated and powerful Indian Nation. They found that in Europe of their days a national unit meant a territorial unit. All those who inhabited the territorial unit France were French, Germany were Germans, Spain were Spanish, England were English and each respectively an Unitary nation by itself. So they thought, or rather believed, without thinking at all, that the only bond of a territorial unit, the only fact of residing in a common geographical unit, was by itself the most efficient, may be the only efficient factor to mark out a people into a nation by themselves.

"Well, then, all people in India Hindus, Moslems, Christians, Parsis and others, had been inhabiting the territorial unit called India for centuries together : Therefore all these people must be a nation by themselves. What if they differed so much in religion, language, culture, race and historical development ? Those things had nothing to do with a common nationality. Territorial unit, a common country, was the only foundation required to support and induce a common nationality. Territorial unit must be a National unit. Look at England, France, America." Thus they argued.

The corollary derived from the assumption was also inevitable. If India, because it was a territorial unit and called a country, must be a national unit as well, then all of us must also be Indians only and cease to be Hindus or Moslems, Christians or Parsis. So they, the leaders of those first generations of English-educated people, being almost all Hindus, tried their best to cease themselves to be Hindus and thought it below their dignity to take any cognisance of the divisions as Hindus and Moslems and became transformed overnight into 'Indian Patriots' alone.

It was also very easy for them to cease to be Hindus. The Western education had taught them and they had no other education, that Hindutya meant nothing else but Hinduism which to them meant a veritable bundle of superstitions. They had no occasion to stop and think of the other and most fundamental contents of Hindutya, of Hinduness, in all its racial, cultural and historical bearing.

As they found it so easy for them to renounce their Hinduness and merge themselves at a thought into being Indians and Indians alone they expected that it would be as easy for the Moslems too to forget that they were Moslems and to merge themselves entirely and totally into the Indian people, the Indian Nation, which to those 'Indian' patriots seemed already a fact as tangible as the territorial unit India.

It must be emphasised here that all these our remarks are true in their collective sense only. It is not possible to deal with details and exceptions either individual or national in such a short address as this.

As the western education went on spreading rapidly amongst Hindus the idea of an Indian Nationality also continued to find a larger and larger following ; inversely, the solidarity of the Hindus as Hindus, as a political unit, as a nation by themselves, grew feebler and feebler and at last grew unconscious of itself through sheer starvation.

The British rejoiced at the turn events had taken. They knew that under those circumstances the only danger to their political supremacy in Hindustan could come from the revival of the political consciousness of the Hindu Nation and the

re-emergence of the ideal of a Hindu Sovereignty. It is a fact that even after 1857 a Hindu politically proud of his being a Hindu was a suspect. For he brooded over the loss of his Hindu kingdom and was watched as an incipient revolutionist. The armed rising of Ramsing Kooka in the Punjab and Vasudeo Balwant Phadke in Maharashtra, even after the defeat of the revolutionary war in 1857, with a view to drive the British out and recover the lost Hindu Kingdom, only confirmed the British in their suspicions.

#### THE BIRTH OF INDIAN NATIONAL CONGRESS

9. It was just after the suppression of the rising of Vasudeo Balwant Phadake at Poona who aspired to revive an independent Hindu Kingdom even as Shivaji did that the birth of the Indian National Congress took place. It is to be noted that the British Government favoured the movement and it was a Viceroy who sponsored it. Many a prominent British civilian like Mr. Hume, Wedderburn and others led it for long time. Great Hindu leaders from the most public spirited motives nursed it and it became the organised and authoritative spokesman of the new cult of Indian Patriotism.

The British, too, while they favoured this Indian movement as an antidote to any possible revival of Hindu Nationalism, took good care to see that the Moslem solidarity as Moslems did not suffer in any way by catching the contagion of this new Indian Nationalist cult. For the British knew that if the Moslems also joined that cult as whole-heartedly as the Hindus did, then there would really be a united Indian Nation—a contingency likely to prove perhaps more dangerous to British supremacy in India than a Hindu revival could single-handedly prove to be. The British dreaded and hated any real genuine and fruitful rise of Indian Nationalism as much—if not more—as they did any revival of Hindu Nationalism. So they on the one hand encouraged and helped surreptitiously the fanatical hatred, enmity distrust, which the Moslems ever bore to the Hindu Nation, thus rendering any efficient Indian National unity as delusive as a mirage and on the other hand encouraged the Hindus, at least in the beginning, to pursue that mirage of an Indian Nationalism with avidity so that the rise of a Homogenous Hindu Nation might be ruled out of practical politics. Of course it is another matter that the result of this British policy of encouraging Indian Nationalism in the beginning did not altogether fulfil their expectations and they had to change it later on. But that does not belie the fact. I have referred to it above.

#### THE IDEAL OF INDIAN NATIONALISM WAS IN FACT A NOBLE ONE

10. The Hindus found nothing objectionable in the ideal of uniting all India into a consolidated political unit and very naturally so. For it suited well with the Hindu mentality with its synthetic trend, always prone to philosophy with a universal urge. It is also true that the ideal of Politics itself ought to be a Human State all mankind for its citizens, the earth for its motherland. If all India with one-fifth of the human race could be united irrespective of religious, racial and cultural diversities, emerging them all into a homogenous whole, it would be but a gigantic stride taken by mankind towards the realization of that human political Ideal. So far as the ideal language and picture of this conception went, it could not but be attractive to a people like the Hindus with a religious and cultural ideology preaching—'all this is but one and indivisible Brahma'. But Brahma, even in its political aspect, like its philosophical one, has for its counter part a *Maya*, the principle of division ! And this fact those Hindu patriots overlooked in their enthusiasm for the ideal—If India was united !—Yes, but the 'If' was what mattered most. The new concept of an Indian Nationality was founded on the only common bond of a territorial unit of India, the Hindus for one found nothing revolting even in that assumption to their deepest religious or cultural or racial sentiments. Because their national being had already been identified with that territorial unit India which to them was not only a land of sojourn but a home, their Fatherland, their Motherland, their Holy Land and all in one ! Indian Patriotism to them was but a synonym of Hindu Patriotism. Even the territorial unit was as intimately identified with their racial, religious and cultural unit that an Indian Nation was but a territorial appellation of the Hindu Nation. If Hindusthan was called India but continued to be a Hindusthan, it made no difference in essentials and for practical purposes might be overlooked.

11. That is the reason why, later on, even those Hindu leaders who in spite of their being highly educated in the western lore were also deeply imbued with Hindu-

ness, were proud of being Hindus by religion, by race, by culture and joined the Indian national movement for political purposes and worked whole-heartedly with the Congress and even led it so long as it continued to be a purely political body, striving assiduously to wrest political power out of the hands of the British Government with a view to establish a real Indian commonwealth, to be held in common with other non-Hindu minorities in India on equitable footing and in honourable company.

12. But although the Hindus on the whole rallied round the Indian National Congress with unsuspecting enthusiasm and lent their honest devotion to the principle of a Territorial nationality that underlay it, that principle seemed to fail miserably in appealing to the Moslems in India. As a community they held back from the very beginning and by and by began to resent it altogether. The more insistent the Congress demand grew in calling upon all Indians to merge their racial and religious individuality into an Indian Nation at any rate for forming themselves into a political unit, the more distrustful and enraged the Moslems grew. For they instinctively felt that Indian Patriotism as defined by the Congress was sure to deal a death blow to Moslem patriotism which was the be-all and end-all of their Racial, Religious and Cultural ambitions. The British Government for their own end encouraged them in this their anti-congress attitude. The higher the Congress rose in political importance through the strenuous efforts of our Hindu Patriots and the more insistent grew its demands and stronger its power to back them up, the more outspoken and determined became the Moslem opposition to it, and the more assiduous grew the encouragement and surreptitious assistance to it on the part of the British Government who came to realize to their discomfiture that their policy of bringing into being the Indian National Congress movement had in the long end miscarried their expectations in a large measure.

12. I am the last man to ignore the benefits that even we Hindus reaped from the Indian National Congress movement even from the Hindu point of view. It had, though only consequentially and without that special end in view, contributed immensely to the consolidation of Hindudom as a whole by rubbing off their provincial, linguistic and sectional angularities, divisions and diversities, provided them with a common political platform and animated them with the consciousness of a common National Being with a definite common goal of an united and central state. Errors that crept in may be rectified but the good that came out need not be disowned. Nor do I deery the introduction of western education in India. In spite of the questionable intentions of the British in its inception we Hindus have succeeded in turning the tables in the long run and are now in a position to give a good and profitable account of our contact with the West.

14. But the point to be specially emphasised here is the fact that just as the benefit we Hindus reaped out of our contact with the west or the reviving English education through the Government universities, was inspite of the evil intentions of the British Government, even so the good that accrued to us Hindus contributing to the further consolidation of our Hindu Nation was not in virtue of the new cult of Indian Nationality or the proclaimed intentions of the Indian National Congress but inspite of its efforts direct or implied to suppress our racial and religious consciousness as Hindus. The territorial patriots wanted us to cease to be Hindus at least as a national and political unit. Some of them actually gloried in disowning themselves as Hindus at all ! They were merely Indians, thinking that they had set a very patriotic example in that which they fancied would persuade the Moslems too to renounce their communal being and also merge themselves in that territorial Indian nation beyond recognition.

15. But the Moslems remained Moslems first and Indians never ! They sat on the fence as long as the deluded Hindus kept struggling with the British to wrest political rights for all Indians alike, going to the prisons in lacs, to the Andamans in thousands, the gallows in hundreds. And as soon as the unarmed agitation carried on by the Congressite Hindus on the one hand and the more dreadful and more effective life and death struggle carried on by the armed Hindu revolutions outside the Congress on the other, brought sufficient presuro on the British Government and compelled them to hand over some substantial political power to the Indians,—the Moslems jumped down the fence and claimed "they were Indians : they must have their pound of flesh !" Till at last things came to such a pass that the proposal to divide India itself into two parts—the Moslem India and the Hindu India was blatantly put forward, and their readiness to ally themselves with non-Indian Moslem nations against the Hindus was avowed by no less a re-

representative Moslem body than the Moslem League. This was the sorry fate of the hopes of these Hindu patriots who from the best of motives but with a thoughtless belief and the blindest of policies persisted in their efforts of consolidating all Indians into one undivided and indivisible Indian nation, irrespective of religions, races and cultures based only on the common bond of a territorial unity!

16. What was then the root cause which brought about this miserable failure of the efforts of the Congress during the last full 50 years to placate the Moslems to allow themselves to be merged into an united Indian Nation? To persuade them to be, at any rate, Indians first and Moslems afterwards? Not that the Moslems do not like to form an united Indian nation. But their conception of unity, national unity of India is not based on her territorial unity at all. If any Moslem had given out their mind and in the most intelligible terms possible, it was Ali Musaliar, the leader of the Mopla rebellion. In justification of his atrocious campaign of forcibly converting thousands of Hindus or putting them to sword—women, men, children at a stroke, he proclaimed that India must be united into a Nation and the only way to bring about lasting Hindu Moslem unity could not be other than that all Hindus should become Moslems! Those Hindus who refused to do were traitors to the cause of Indian unity and deserved death!! Thus the unsophisticated Ali Musaliar spoke bluntly in his mother tongue: Polished Moslems like Mahomed Ali and others speak in elegant Latin and Greek, but the purport is the same. Not territorial unity but it is the religious, racial and cultural unity that counts most in the formation of a National unit. Congress failed to realise this and this was the root cause of its failure in this matter.

Congress committed the serious mistake at its very start of overlooking this fundamental social and political principle that in the formation of Nations, religious, racial, cultural and historical affinities counted immensely more than their territorial unity, the fact of having a common habitat. That alone is one of the factors but in almost all cases cannot be the only factor. The example of England and some other European national units which put the Hindu founders of the Indian National Congress on the wrong track and as we have explained above in the section 8 of this address, were not rightly understood. England has not grown into such an homogenous national unit only because it is a clear cut territorial unit. Their territorial patriotism is not the cause but a consequence of their other social and political affinities. England for example was as clear cut a territorial unit in days gone by. But when their religious susceptibilities were highly irritable the English Catholics and Protestants felt themselves drawn more to their respective co-religionists outside England than their own countrymen inside it. The English Catholics cared more for the Pope in Rome than their Protestant English Sovereigns in England. The English Protestants invited William from Holland to rule over them instead of an English King of Roman Catholic persuasion. Take again the case of Holland. The Hollanders in spite of their territorial unity, during the Religious phase of their history, could not be united into a homogenous nation. The Catholic Hollanders joined Spain against their own Protestant Prince William of Orange. Take the case of Austria—Hungary. There was nothing notable to divide them territorially. They were welded together into an imperial unit and continued to be a political unit under a common state for centuries. But here there were no racial, cultural, linguistic or historical affinities to draw them towards each other as to be a nation in heart. So they separated as national and political units as soon as favourable opportunities arose.

Nor could it be said "Oh this your racial and religious bosh is already a thing of the past. The world is grown wiser since. No up to date man cares a fig for them to day." To this common place exclamation we rejoin: Are the Hindu and Moslem Indians more up to date than the Germans or the Irish of today? Are not the latter amongst the most advanced, educated and up to date nations of the world? But do you find that territorial unity counts with the Germans or the Irish more even today than the affinities of a common race, language, culture or history?

#### THE LATEST CASES OF THE SUDETAN GERMANS AND ULSTERITES

The Sudetan Germans and say the Prussian Germans knew no common political nationality for a long period. They were not a common people as a state. When the enemies of Germany hit her hard they cut her into pieces and created a patchwork of a "Nation" and compressed it into a territorial unit called Czechoslovakia, making a mess of the Sudetan Germans, Poles, Hungarians,

Czechs, Slovaks etc. Did they form a Nation? Sudetan Germans longed to be one with the Prussian Germans inspite of their being mapped out of it as a territorial unit and revolted against the Czechs who were their next door neighbours inspite of their being mapped together into a territorial and political unit and went over to the Prussians even at the risk of their life—why? Not because the Sudetan Germans had a more definite territorial affinity with the Prussian Germans than they had with the Czechs or Slovaks but because they had linguistic, cultural, racial and historical affinities with the Germans in Germany and gloried in being a part and parcel of the German people. Note on the other hand that the German Jews had been not only inhabiting the German land for centuries together with Germans, bound together with the Germans by the common bond of a territorial unit, but had been actually incorporated into a common state, were actually German in political parlance, exercised equal rights as citizens of Germany—nay dominated the German State as members of the National German legislature and executive.

Take again the Irish case. Ireland and England were a political unit and continued to have a common state and a common Parliament for centuries together. The English lived in Ireland for generations intermarrying, interdining, speaking the same tongue English. The Ulsterite English and the Irish have the common bond of territorial unity and a distinctly marked out Ireland as a common country. Their religion too is common. Nor is Ireland a very big continental territorial unit. It is hardly as big as a presidency in India. But did all these common factors mould the English and the Irish into a common nation? No, neither in Ireland nor in Great Britain. The Irish revolted, despised the imperial advantages. They had in common with the English revived their own Irish tongue which was well nigh dead and organized a separate Irish National state. The Ulsterite English on the contrary refused to have any National relation with her next door Irishman with whom he has lived for centuries and pines for his union with his English brethren whose face he might have never seen and who reside seas apart from him. Why? Because between the Irish and the English the want of common racial, cultural and historical affinities repulses each other more than a mere territorial unity can attract.

#### IT IS NOT ONLY A POLITICAL FACT BUT A HUMAN ONE

17. These few illustrations even of up-to-date nations will show that in almost all cases a common territorial unit, a common habitat cannot by itself weld peoples differing in religious, racial, cultural and such other affinities into a national unit. It is not only a political fact but a human one that religious, racial, cultural, linguistic or historical affinities make men feel more akin to each other than the only fact of their residing in a common habitat unless that is an addition to these common ties. This tendency of peoples having these affinities to form themselves into a group or into a nation and not by the mere fact of being mapped together has its roots deep down in human or even animal nature. But we are not called upon here to go into any psychology of it. Suffice it to say that the efficient factor that constitutes people into an organic nation is their will to be one homogenous national unit. And this will is induced by such of those affinities as we have indicated above far more eminently and intensely than by the mere fact of their residing in a common country.

18. Have the Indian Moslems, then, that will to be one with the Hindus? That is the question of questions and the Congressite Hindus in the beginning of the Indian National movement never waited a minute to ponder over it nor do they even to-day take it into their head even during the interval when they adjourn the National Congress for hours in deference to the Moslem prayer times. It is useless simply to declare the Moslem League communal. That is no news. The fact is that the whole Moslem community is communal including the Congressite Moslems. The question that ought to be understood is why are they so communal? The Congressite Hindus from the very beginning simply dare not study that question. Because they fear that such a study would compel their fad of a territorial Nationality, of Indian unity in a sense they understand it, to give up the ghost "Fanaticism-Folly". You exclaim? But Fanaticism or Folly—it is to the Moslems a solid fact. And you cannot get over it by calling it names but must face it as it stands. To my mind for reasons alluded to above, it is quite human for the Moslems to bear instinctive apathy to the idea of a territorial nationality, as envisaged by the Congressites who

in general are totally ignorant of Moslem history, theology and political trend of mind. This antipathy of the Indian Moslems can be seen through right perspective if you bear at least the following facts in mind.

(a) The Moslems in general and Indian Moslems in particular have not as yet grown out the historical stage of intense religiosity and the theological concept of state.

(b) Their theology and theocratical politics divide the human world into two groups only: The Moslem land and the enemy land. All lands which are either entirely inhabited by the Moslems or are ruled over by the Moslems are Moslem lands. All lands which are mostly inhabited by non-Moslems or are ruled over by a non-Moslem power are enemy lands and no faithful Moslem is allowed to bear any loyalty to them and is called upon to do everything in his power by policy or force or fraud to convert the Non-Moslem there to Moslem faith, to bring about its political conquest by a Moslem power. It is no good quoting sentences here or there from Moslem books to prove the contrary. Read the whole book to know its trend. And again it is not with books that we are concerned here. It is with the followers of the books and how they translate them in practice. You will then see that the whole Moslem history and their daily actions are framed on the design I have outlined above. Consequently a territorial patriotism is a word unknown to the Moslem—may be tabooed, unless in connection with a Moslem territory. Afghans can be patriots for Afghanistan is a Moslem territory to-day. But an Indian Moslem—if he is a real Moslem and they are intensely religious as a people—cannot faithfully bear loyalty to India as a country, as a nation, as a state, because it is to-day "An Enemy land" and doubly lost:—for non-Moslems are in a majority here and to boot it is not ruled by any Moslem power, Moslem sovereign.

(c) Add to this that of all non-Moslems the Hindus are looked upon as the most damned by Moslem theologians. For Christians and Jews are after all "Kitabis", having the holy books partially in common. But the Hindus are totally "Kafirs", as a consequence their land "Hindustan" is preeminently an "Enemy Land" as long as it is not ruled by Moslems or all Hindus do not embrace Islam. This is the religious mentality of the Indian Moslems who still live and move and have their being in religiosity. There are some of them like Mahamed Ali and others who in their individual capacity are not so religious-minded but who nevertheless encourage mentality in their masses as a very suitable political, racial and cultural weapon. What wonder then that the Moslem League should openly declare its intention to join hands with non-Indian alien Moslem countries rather than with Indian Hindus in forming a Moslem Federation? They could not be accused from their point of view of being traitors to Hindus then. Their conscience was clear. They never looked upon our today's "Hindustan" as their country. It is to them already an alien land, an enemy land.

(d) This is the religious and living mentality of the Moslems. Consequently their political and cultural mentality also is essentially anti-Hindu and is bound to be so as long as they continue to be Moslems and "the faithful." They are vividly conscious of the fact that they entered India as conquerors and subjected the Hindus to their rule. They are also gifted with a curious memory that is supremely oblivious of all events which remind them of their defeats and discomfitures. They will never remember that the Hindus beat them like a chip in hundred battlefields in India and had in the long run freed all India from the Moslem yoke and re-established Hindu pad-padshahi as indicated above in section 6 of this address. They know, they form a powerful minority in India. Their population is growing in every successive census report. What is to be especially noted by our Hindu Sangathanists party is the fact that some of our Hindu superstitions and suicidal social customs like the untouchability, the ban on shudhi, on widow remarriages etc. offer them a fertile field for Moslem proselytisation and conversion. So under the present circumstances they rightly hope to increase their population and decrease the Hindus with equal rapidity. They know that the British are sure for a long time to come to offer them every facility and help to strengthen the Moslem position against the Hindus whose rise and political ambitions the British whole-heartedly dread. They are also sure that the Congressite Hindus in their pursuit of the silly fad of bringing about a Hindu-Moslem unity in India based on the impossible common bond of a territorial unity only are certain to yield to Moslem demands with an amount of Moslem browbeating as regards weightages, special and larger representation, etc. and especially in suppressing the Hindu Sangathan movement

that is at present the only thorn in their sides. They realize that in the Indian Army and the armed Police they, the Moslems, in spite of their being in minority are already the predominant factor holding some 60 per cent jobs. With all these factors in their favour they are fully confident wisely or unwisely, that in case the British are overpowered in some big world war the Moslem with the help of the Non-Indian Moslem powers bordering our country may snatch out the political sovereignty of India out of British hands and re-establish a Moslem empire here. Then alone they can and will love India as their own country, as a "Moslem land" and sing wholeheartedly by themselves "Bharat hamara Desh hai !" or "Hindusthan hamara desh hai". But till then it must remain "an enemy land" to the Moslem—to the Faithful.

I wish the British also to take a serious note of the fact indicated at the close of this last paragraph and curtail their policy of encouraging Moslems too much in their anti-Hindu activities. In view of the open declaration of the Moslem League to divide India into two parts, inviting the alien Moslem nation from outside India to form a Moslem Federation and raise an Independent Moslem Kingdom in India, the British also should think twice before they trust their "favoured wife" too much just to spite the Hindus. The intrigues in Moslem history are all well known and the British may find in the end that in their attempt to encourage the Moslem separation movement just to spite the Hindus the British have but succeeded in spiting themselves. Nevertheless that concerns the British and they can take care of themselves. What concerns us Hindus is the fact that we get determined not to play the part of an handmaid either to the British or to the Moslems but are masters in our own house, Hindusthan, the land of the Hindus.

#### WITH THIS END IN VIEW WHAT SHOULD BE OUR IMMEDIATE PROGRAMME ?

19. Knowing it then for certain that the Indian Moslems, for reasons some of which are referred to above, are about the last people to join the Hindus in forming any common political Nation on equal footing in India based on the only common bond of our territorial unity, out of a merely territorial Indian Patriotism, let us Hindu sanghathanists first correct the original mistake, the original political sin which our Hindu Congressites most unwillingly committed at the beginning of the Indian National Congress movement and are persistently committing still of running after the mirage of a territorial Indian Nation and of seeking to kill as an impediment in that fruitless pursuit the lovegrowth of an organic Hindu Nation. Let us Hindus resume the thread of our national life where, as I have shown in section 7 of this address our grand father left it at the fall of our Maratha and Sikh Hindu Empires. The life and organic growth of the self-conscious Hindu Nation that was suddenly struck with an atrophy of self-forgetfulness must again be revived, resurrected. Let us therefore boldly proclaim even in the words of Govindrao Kale who wrote them so early as in 1793 in his letter quoted in section 6 above that the land which extends from the Indus to the Southern seas is Hindusthan—the land of the Hindus and we Hindus are the Nation that owns it. If you call it an Indian Nation it is merely an English synonym for the Hindu Nation. To us Hindus Hindusthan and India mean one and the same thing. We are Indians because we are Hindus and vice versa.

Yes, we Hindus are a Nation by ourselves. Because, religious, racial, cultural, historical affinities bind us intimately into an homogenous nation and added to it we are most pre-eminently gifted with a territorial unity as well. Our racial being is identified with India—Our beloved Fatherland and our Holy land, above all and irrespective of it all we Hindus will be a Nation and therefore we are a Nation. None has a right to challenge or demand a proof of our common nationality when some thirty crores of us are with it.

It is absurd to call us a community in India. The Germans are the nation in Germany and the Jews a community. The Turks are the Nation in Turkey and the Arab or the Armenian minority community. Even so the Hindus are the nation in India, in Hindusthan, and the Moslem minorities a community.

Referring to the Sudetan Germans the leaders of the Moslem League threatened us the other day at their Karachi Session that if their demands in overriding the Hindus are not granted in India they would play the part of the Sudetan Germans and call in their Moslem coreligionist powers across the border inside India to their help as the Sudetan Germans called the Germans in Sudetan. To that threat I retort that our friends in the Moslem League should not cry till they are out of the woods. They should remember that their illustration cuts both ways. If they grow stronger they

can play the part of the Sudetan Germans alright. But if we Hindus in India grow stronger in time Moslem friends of the league type will have to play the part of German Jews instead. We Hindus have taught the Shakas and the Huns already to play that part pretty well. So it is no use bandying words till the test comes. The taste of the pudding lies in the eating.

#### INDIAN NATIONALISM ALSO IS COMMUNALISM IN RELATION TO HUMANITY

20. If to such an outspoken attitude of being a Hindu Nationalist on your part, and Indian Nationalist of the Congress raises the objection "Oh, but do you not see how narrow-minded it is to think of Hindus and Moslems, this race or religion and that in a separate mood? Man to man we all are one. Let us think of universal brotherhood alone".

Then inquire of him in return "brother, universal brotherhood we Hindus adore even to a fault. But will you tell us, oh Indian Nationalist, why you think of this nation and that, why think of an Indian Nationality in a separated mood? Is it because India is a territorial unit? But then there are other territorial units in world. Why are you an Indian patriot and not an Abyssinian one and go there and fight for their freedom? It is precisely because by company and education you feel yourselves more akin to the Indian people in virtue of racial or religious or cultural affinities than you feel at home with other nationalities—although you may not be aware of this reason verily you worship a god you know not. Nor you know that Indian or any patriotism cannot but be communal in relation to humanity; for, nationality is as strong a principle of human division as is racial or religious or cultural community.

#### HINDU NATIONALISTS SHOULD NOT AT ALL BE APOLOGETIC TO BEING CALLED HINDU COMMUNALISTS I

21. The fact is that Nationalism and communalism are themselves either equally justifiable and human or not. Nationalism when it is aggressive is as immoral in human relation as is communalism when it tries to suppress the equitable rights of other communities and tries to usurp all to itself. But when communalism is only defensive, it is as justifiable and human as an equitable nationalism itself. The Hindu nationalists do not aim to usurp what belongs to others. Therefore, even if they be called Hindu communalists they are justifiably so and are about the only real Indian Nationalists. For, a real and justifiable Indian Nationalism must be equitable to all communities that compose the Indian Nation. But for the same reason the Moslems alone are communalists in an unjustifiable antinational and treacherous sense of the term. For it is they who want to usurp to themselves all that belongs to others. The Indian National Congress only condemns itself as an antinational body when it calls in the same breadth the Hindu Mahasabha and the Moslem League as bodies equally communal in the reprehensible and treacherous sense of that term. Consequently, if to defend the just and equitable rights of Hindus in their own land is communalism then we are communalists par excellence and glory in being the most devoted Hindu communalists which to us means being the truest and the most equitable Indian Nationalists.

22. Having determined then once for all to revive the concept of an Organic Hindu Nation and regenerate its life-growth as the first item of our immediate programme the second and consequent item must be to review every action and every event in public life from the only standpoint of Hindu interests without mincing matters at all. From the local details of the music and mosque questions right up to the question of Indian Federation and from the internal Indian political policy to our foreign and international policy and relations we shall openly and separately take up a stand as Hindus and support, oppose or take every step in the interests of Hindudom alone. Our politics henceforth will be purely Hindu politics fashioned and tested in Hindu terms only, in such wise as will help the consolidation, Freedom and Life-growth of our Hindu Nation.

23. The third item in our immediate programme will be a redeclaration of our attitude to the question of Indian Unity even in its territorial aspect. In its own interest the Hindu Nation does not shut the door to any possibility of an united Indian Nation, provided it is based on an equitable and equal footing. The Hindus will ever be ready to grant equal rights and representation to all minor communities in India in legislature and services, civil and political life in proportion to the popu-

lation and merit. The Hindus although they are in overwhelming majority, will still waive their right of claiming any preferential treatment, and special prerogative which in fact in every other nation are due to the major community. But the Hindus will never tolerate the absurd and the unheard of claim of the minorities to have any preferential treatment, Weightages or special favours, over and above what the major community obtains. The Hindu nation will go so far as to accept the equitable national principle of "one man one vote" irrespective of religion or race or culture in the formation of a common Indian State. But it shall knock on the head any political demand that claims "one Moslem three votes" and "three Hindus one vote!" or any cultural demand that antagonises or insults or suppresses Hindu culture in its historical, linguistic, religious or racial aspect. The minorities will be free to follow their religion, speak their language, develop their culture amongst themselves provided it does not infringe on the equal rights of others or is not opposed to public peace and morality. If the Moslems join us on these equitable conditions and bear undivided loyalty to the Indian State and the Indian State alone well and good. Otherwise our formula holds good. "If you come, with you, if you don't, without you; but if you oppose, in spite of you, we Hindus will fight out the good battle of achieving the independence of India and herald the rebirth of a free and mighty Hindu Nation in near future!"

24. Our foreign policy also will be guided from an outspoken & unalloyed Hindu point of view. All those nations who are friendly or likely to be helpful to Hindu nation will be our friends and allies. All those who oppose the Hindu Nation or are likely to endanger Hindu interests will be opposed by us. All those who do neither we will observe a policy of neutrality towards them, irrespective of any political aim they choose to follow for themselves. No academic & empty slogans of democracy or Nazism or Fascism can be the guiding principle of our foreign policy. Hindu interests alone will be our test. No more "Khalafats" or "Palestine afats" can dupe us into suicidal sympathies and complications. Our relations with England also will be guided by the same Hindu policy, having the absolute political independence of the Hindu Nation in view.

25. Towards the minorities our attitude under the present circumstances must be differential. The Hindu will assure them all that we hate none, neither the Moslems nor Christians nor the Indian Europeans but henceforth we shall take good care to see that none of them dares to hate or belittle the Hindus either, amongst the minorities, or these latter.

The Parsis are by race, religion, language, culture most akin to us. They have gratefully been loyal to India and have made her their only home. They have produced some of the best Indian patriots and revolutionists like Dada Bhai and Madam Cama. They will have to be and therefore shall be incorporated into the common Indian State with perfectly equal rights & trust.

The Christian minority is civil, has no extraterritorial political designs against India, is not linguistically and culturally averse to the Hindus and therefore can be politically assimilated with us. Only in religion they differ from us and are a proselytising church. So in that matter alone the Hindus must be on their guard and give the missionaries no blind latitude to carry on their activities beyond voluntary and legitimate conversion. The Hindus also must continue to reconvert the Christians and carry on the Shuddhi movement on the same voluntary and legitimate bases. It is only in our Travancore state that the Christians seem to cherish some political design against the Hindu state and it is only there that we shall have to treat them with some political distrust by not allowing them too much latitude in the state of affairs and offices, till they too cease to be political suspects to the Hindus as the Christians in other parts of India have ceased to be.

As to the JEWS in India, they are, too, have given us no political or cultural trouble and are not in the main a proselytising people, they will be friendly towards the Hindus who have sheltered them when homeless and can be easily assimilated in a common Indian state. But this fact must not land us again into the suicidal generosity our forefathers had been guilty in other cases of inviting colonies of non-Hindus to India. With every sympathy with the Jews outside India, the Hindus therefore oppose the present congressite proposal of inviting or allowing any new Jewish colony to settle in India. India must be a Hindu land, reserved for the Hindus. While our own Hindu over-population in some parts of India is hard pressed to find land for extension, how absurd it is to invite non-Hindu colonies to settle our thinly populated parts! How ridiculous it is to find some congressites preach-

ing birth control to restrict our own population in order to avoid over-crowding and start straightaway to invite Jewish colonies to settle in India. We must exhort our esteemed Diwan of Kochin in particular to take a leaf out of the history of Travancore and set his face stornly against any proposal or outside pressure to allow the alien Jews to colonise the Lands in Kochin.

So far as the Moslem minority is concerned I have already dealt with it at length. In short we must watch it in all its actions with the greatest distrust possible. Granting on the one hand every equitable treatment which an Indian citizen can claim in an equality of footing with other, we must sternly refuse them any the least preferential treatment in any sphere of life, religious cultural or political. Not only while we are engaged in our struggle for liberating India but even after India is free we must look upon them as suspicious friends and take great care to see that the northern fronties of India are well guarded by staunch and powerful Hindu forces to avoid the possible danger of the Indian Moslems going over to the alien Moslem nations across the Indus and betraying our Hindus to our Non-Hindu foes.

#### BUT HOW TO BELL THE CAT

26. While listening to all this and agreeing with me in toto as to the efficacy of this Hindu policy in future, every Hindu Sangathanist here must have been weighed down with the single question "But how are we to bell the cat? How to raise ways and means to put this policy into practice? How are we to enable ourselves to be in so strong a position as to shape events to our liking in face of the overwhelming predicament and powerlessness in which the Hindu Sangathanist movement is stuck to-day?" I tell you, don't be downhearted. The most efficient weapon is already lying close at your hand; only stretch out your hand in the right direction and you grasp it. Let us just begin at the beginning and capture the political power that obtains in Indian to-day.

27. If but the Hindu Sangathanists capture the seats that are allotted to the Hindus under the present constitution in Municipalities, Boards and Legislatures you will find that a sudden lift is given to the Hindu movement so as to raise it to an incredible power in relation to your present around helplessness. "It is a bigger order still! you may explain: How are we to capture even that political power which is allotted to the Hindus to-day? In a fit of self-forgetfulness it is we Hindus who resigned that power into the hands of the Congressites. It is true we Hindus made the Congress what it is. But it has now suddenly turned against us who raised it to a position of power over some seven provinces in India! Now the very concept of a Hindu Nation stinks in its nostrils, it has already declared the Hindu Mahasabha a communal and reprehensible body and ordered a millions of Congressite Hindus not to have anything to do with it. It may be that one of these days it may proclaim the Hindu Sangathan movement itself as an act of high treason against the Congress fal of an Indian territorial Patriotism. But it is now grown too strong for us to dislodge it from its position and compel it to yield back the political power which as of a right was due to us Hindus alone!"

I know that the difficulty stares every Hindu Sangathanist in the face all over India. It is true that the Congress looks to-day like a visitable anti-Hindu tower of strength—but I assure you it is a plained one! Approve the canvass and you will find it!!

LET THE HINDU SANGATHAN BOYCOTT THE CONGRESS AND IT WILL COME TO ITS SENSES IN NO TIME!!

28. Before we proceed to indicate the easiest remedy to capture the political power and disable the Congress from doing any practical harm to the Hindu Sangathan movement, let us declare in unmistakable terms that we are not out to spite the Congress Institution itself nor the leaders and followers thereof. Mr. Jinnah is quite correct in stating that the Congress has been since its inception down to this day a Hindu body manned mostly by the Hindu brains, Hindu money, and Hindu sacrifice. Even today some of them are noble patriots. They are erring but cannot be wicked and almost all of them are our own kith and kin. The few Moslems there, although they are allowed to boss the Congress policy at times through the suicidal folly of the Hindu leaders, are but nonentities, are kept there more as figureheads to run the poor show of an 'united Indian nation'. We are out not to spite the Congress as an institution but to chastise its anti-Hindu policy, to cure it of the intolerable hypocrisy which is all the more harmful for its strutting about under the mark of Truth, Truth absolute and nothing but truth, with its lathi

charges and English bayonets going nearly hand in hand with non-violence, non-violence absolute and nothing but non-violence in thought, word and deed !!

So under the present circumstance the Congress has compelled us to disown it and divert it of all power to represent the Hindus in any aspect or capacity whatsoever. They have foolishly challenged the Hindu community and the Hindu Mahasabha and we must take up the challenge.

Just think, oh Hindu Sanghathanists, on what meat does this congress feed that it has grown so great? Only remember that the Congress draws all its supplies, men, money and votes, from the Hindus. Then cut off those supplies and the position which the Congress has taken against the Hindus and which seems to be so impregnable will be untenable in no time.

All the national importance and political power that the Congress has come to wield today in India and the ministries and majorities it holds in legislatures are but derived from the Hindu Electorate. The Congressite Hindu cannot get a single Mahomedan vote, for the constitution itself is communal. The Mohomedans can vote only for a Mohomedan, the Christians for a Christian and so on. The Congressites, and they are mostly Hindus, can but get them elected to the legislatures, boards and municipalities, on the strength of the Hindu votes. If the Hindu make it a point not to vote for a Congress ticket, then? Not a single congressman can be returned to either a local body or a legislature! They stand on Hindu shoulders as Hindu candidates and as soon as they raise themselves to those high places they kick the Hindus back, disown the Hindus, call Hindu organizations as communal and therefore reprehensibly betray Hindu interests at every turn but keep daucing attendance on the Moslem League. But if you withdraw your shoulder, your support, then? You will find that the political power and public importance of the Congress as dead as a door nail.

They call themselves Indian Nationalists. But every step they take is communal. They have guaranteed special protection to minorities, Moslems, Christians, Europeans etc. Is that Indian Nationalism? A true Indian Nationalist must know nothing of Moslems and Hindu minorities and majorities. To him all must be Indians only. Why they then take cognisance of communities, religions or racial, in India? And if they can take cognisance of the communal minorities then why they fight so shy to take cognisance of the major community the Hindu, or call those who do so as reprehensible communalists? Nay more: A true Indian Nationalist if honest will never go abogging for votes from a constituency which is openly tabulated as general that means non-Moslem, non-Christian etc. that is, an electorate which is not national. A truly Indian National electorate cannot be divided as Moslem one and Non-Moslem one or Christian one, and Non-Christian one, special and general. A truly Indian National electorate must be only an "Indian Electorate", pure and simple without the least mention of the Unnational, unreasonable difference of race or religion. If our congressites are true and conscientious Indian Nationalists they ought to refuse forthwith to stand as candidates to elections under this communal electoral roll and resign their seats forthwith which are tainted with these communal labels. Is there a single Congress Minister or member ready to resign and run that ordeal: None, none! Next election when they come to your Hindu doors to beg for votes tell them in all honesty & humility 'Sirs Congressmen, you are Indian Nationalists; but I am a Hindu and this is an Hindu Electorate. Then how can you accept a vote so tainted by communalism. Please go to a truly 'Indian Nationalist electorate' to beg of votes wherever you may find it, and if you find it nowhere in the world today please wait till a pure and simple and truly 'Indian electorate' comes into being! Do you think you will find a dozen congress candidates honest enough to do so? None, none!

Then again every candidate under the present constitution has to write his religion and even caste. Then only can he be drafted out to separate electorates, Hindus, Moslems, Christians etc. These Congress candidates in the election season quietly write down their community as Hindus! They marked down Hindu homes even according to castes, Brahmaus, Marathas, Bhangis etc. and then allot their candidates according to their castes to the caste voters so that he may pool up larger votes. They appeal even to caste pride and caste hatred. In the electoral season they are communalists of the worst type. But as soon as the election season is over the Congress candidates don on again his Indian National robes and hits back the very Hindu who paid him his vote as a Hindu that it is a shame for a Hindu to call himself a Hindu and to be a member of Hindu Mahasabha.

But if you once make it quite clear that you as Hindus are not going to vote for any such seasonal Hindu but only for a Hindu who is born and bred and means to continue to turn to his Hindu race even after the election season is over and if once these gentlemen know for certain that they can never be elected on Hindu votes unless they are members of the Hindu Mahasabha—what do you think will happen ? I assure you that 75 per cent of these Indian Nationalists will vie with each other to register themselves as members of the Hindu Mahasabha overnight and vow to be Hindus even fanatically throughout their life ; rather than lose a chance of being members and ministers and sombodies in the Government Secretariats !

Then the only way which is also unbelievably easy, not only to chastise the Congress Nationalist fad but even to raise Hindudom to uncalculably and powerful position in the land at a stroke is under the present circumstances this :

(1) Boycott the Congress ; (2) Don't vote for the Congress ticket ; (3) and vote only for a confirmed and merited Hindu Nationalist.

29. Let no Hindu Sanghathanist pay a single farthing or lend a single member or register a single vote for the Congress ticket. We know by experience that even a staunch Hindu has to act against Hindu interests as soon as he is tainted by a Congress ticket under the Congress discipline and for the selfish fear that he would otherwise lose his job. When once the congressites knew that the Congress cap or ticket is at a serious discount in the Hindu market, is no royal road to the conchils or local bodies you will find that the Hindu caps will sell like hot cakes and Hindu Sabha tickets will rise in an unsuppliable demand !

30. In a nut-shell the position is this : there is a Moslem electorate to protect the Moslem interests. There is a Hindu electorate in fact, though it is named to spite the Hindus as "general," which we can use to protect the Hindu interests. The Moslem being in majority in some three provinces they took good care to see that only these Moslems were elected on their votes who pledge openly to save Moslem interests alone. We Hindus are in majority in some seven provinces. We still handed over our votes to those some of whom blatantly proclaimed they were not Hindus at all and all of whom promised that they were not going to safeguard the special interests of Hindus, not even the just and equitable interests of Hindus as Hindus. The result is that even in those seven provinces where we are in majority and of course in those three provinces where Moslems dominate—we Hindus are reduced to be veritable helots throughout our land. In some cases as in Bengal and the Frontier our very life and property stands in hourly danger, the honour of womanhood insecure. Thus we Hindus have been thrown away to the winds whatever and not an unsubstantial political power was won by hard struggle carried on and sacrifices undergone by our Hindu patriots and by ourselves amongst them for the last fifty years and more, while the Moslem ministers are openly members of the Moslem League, they lead it, they avow to be the advocate of Moslem interests even, threaten to "satay" the Hindus, frame themselves and get passed Government bills to reserve 60 p. c. services for Moslems in Bengal. But what do the Congressite Ministers and members whom Hindu electorates sent to the Councils to represent Hindu interests do ? In Bengal, the Congress M. L. A.s practically supported this atrocious Moslem reservation, they have acquiesced all over India in the pro-Moslem communal award—and denounce the Hindu Sabha also for carrying on agitation with it !! In every case when Hindu interests are threatened by Moslems they have leaned towards the Moslems just to parade that they were Indian patriots. Witness the Congress attitude with regard the Shahidganj affair, the Delhi temple struggle, the Nizam and the Bhopal questions. But is not such an anti-national pro-moslem attitude also an act of communalism ? It is worse on the part of a Congressite who got himself elected on Hindu votes : it is downright treacherous !

#### FROM A SOLID HINDU NATIONALIST FRONT

31. The only way to chastise this anti-Hindu and anti-National policy of the Congress, the best and easiest remedy under the circumstances lies in the fact of forming a Hindu National Front ! Let all our Sadhus, Sanatanists, Arya-samajists and Sanghathanists organizations all over India make it a point never to vote for a Congress candidate but vote for a Hindu nationalist candidate alone. Even today the strength of all these faithful Hindu parties put together cannot but be counted in millions. We shall and must succeed in forming majorities in almost all provinces where Hindus are in majority. Even if we fail in some cases

through the folly of a number of Hindu renegades it is still quite possible to begin with, to return a sufficiently strong minority of Hindu Nationalists to the councils in provinces and the centre to make it impossible for any Government to function without gaining the support of our Hindu Nationalist party. If you do this,—you will have real Hindu Ministries, Hindu National Ministries, openly avowed to safeguard Hindu interests in seven provinces at a stroke! That will raise the Hindu cause and the Hindu Nation immediately to be the greatest political power in the land. You will find as if by a transfer scene that Hindudom has come home, the Hindu Mahasabha suddenly lifted out of its present state being a persecuted and neglected body and raised to the position of dictatorship in shaping the political destiny of India. Every Hindu will raise his head high and erect, conscious of his importance and assured of the Government backing he is sure to get in the defence and assertions of all his legitimate rights, religious, racial, cultural. If a Hindu girl is molested in any part of the land by a Moslem gunda such a condign punishment will promptly be inflicted on him as to render all Moslem gundas tremble to touch any other Hindu girl as fearfully as they do in molesting an English girl. If any riot on the part of the Moslem fanatics seeks to force the Hindus to forego their civil rights, the armed police and the military forces will be so promptly and vigorously made to function against the aggressive party that Moslem riots will be a thing of the past and they will learn to tolerate Hindu music by the public thorough-fare as kindly as they do now the Government and English bands and processions. The peasants and the labourers will get what is due to them as the very proof of national life and industry and commerce. Hindu language will be safe, Hindu script will be safe, Hindu religion will be safe, no illegitimate or forceful conversion of a Hindu to non-Hindu faiths will be tolerated for a minute. No Hindu advances will be made begging on knees before the Moslems for unity. Being confident in our own Hindu strength to achieve Indian Independence through our own sacrifice and struggle even as we did in the past our Hindu nationalists will be prepared to fight any non-Hindu power that stands in the way of our onward march towards the achievement of the independence of Hindustan and its maintenance against all non-Hindu invasions. The very concept and ideal & right of a powerful Hindu Nation will bring out all that is best and bravest in the Hindu spirit to the forefront as nothing else can do. If the Moslems pass an act, i.e. in Bengal to reserve 60 p. c. services for Moslems, our Hindu national ministries will at once get an act passed in Hindu majority provinces to reserve 90 p. c. services for Hindus even where we are only 80 p. c. in population, as a retributory measure without making any the least apology for it. When we will be in a position to retaliate thus in this wise and do retaliate the Moslems will come to their senses in a day. We shall not only save Hindu rights and honour in the Hindu provinces but even in provinces where we Hindus are in minority. Knowing that every attempt to tyrannise the Hindus is sure to recoil on themselves and react for the worse on Moslem interests in all India—the Moslems will learn to behave as good boys and it is then they will be anxious to open unity talks and knowing they are in a hopeless minority in India and no more dreams of mass conversions of Hindus by force and fraud and by kidnapping Hindu children in sight—the Moslems will inevitably and soon be in a frame of mind to acquiesce in equitable Hindu Moslem unity pacts.

We shall, in the Punjab and the Frontier, have an allied party with our Sikh Hindu flank. Our Sikh Hindus, though they have a separate electorate and rightly so under the present circumstances, are strong enough to defend Sikh culture and honour and interests which are but our own culture and honour and interests and we will work hand in hand against all non-Hindu aggressions from outside the Frontier. In the Central legislature also the Hindu Nationalists will compel the Government, if you only return staunch Hindu Nationalist members in majority, to take drastic military steps against the Frontier Moslem tribes, beat them like a chip in no time and render our Hindu life and property there as safe as that of the handful of Europeans continue to be. In Maharashtra our Hindu National party shall ally itself with the Democrats of present under that redoubtable champion of equitable and truly National policy—Jamasdas Mehta, the eminent leader of opposition Dr. Ambedkar and in all other provinces with every party and every one who stands for and in so far as he stands for safeguarding the just, and national and equitable interest of Hindus in common with all other citizens of India irrespective of race or religion

32. Nor need there be any fear of breaking up the so-called united front against British Imperialism. The present Congress united front is a feigned show, a house of cards. The Hindu National united front will be a realistic, homogeneous, the living Front. We shall not only be able to advance the just interests of the Hindu Nation but side by side will be in a position with our equitable and truly Indian National policy—as I have outlined in section 23 of this address, —even to advance the interest of the Indian Nation even in its territorial sense also far more rapidly and solidly and vigorously than this present Quixotic Congress policy with its proposals of doing away with armed military and guarding the frontiers with girl volunteers with Charkhas in their hands can ever do ! Down with all that nonsense for ever and up with the matter of fact Indian politics and the consequent Hindu Nationalist front.

Remember, oh Hindus, that in raising the standard of this Hindu Nationalist Front, you are exercising but your legitimate constitutional rights and can give unjustifiable affront to none. Every Hindu is required by the constitution to vote for whomsoever he likes. So long as bayonets do not extort your votes against your own will for an anti-Hindu candidate, so long it is the easiest and legitimate thing for you to vote for an Hindu Nationalist. If but every Hindu does that easy duty for his race Hindudom is saved. And if the Hindu do not do even that much and determine to commit a cultural and political and racial suicide by voting for an anti-Hindu and anti-National organization as the Congress has grown today into one—not even Brahmadeva can save you.

Then begin, at least you Hindu Sanghathanists who are determined to see that Hindudom assert itself, begin at once at the beginning, form a united Hindu National front under an unalloyed Hindu National Flag and capture the political power that even today obtains by voting only for a Hindu Nationalist and you will see that the large part of your present local and detailed grievances dissipate like a mist at the very sight of Hindu Nationalist ministries formed in seven provinces in India and at the centre. When you have this much more shall be added up to you and one of these days you shall have heralded an independent and strong and mighty Hindu Nation which is but tantamount with a mighty Indian Nation based on perfect equality of citizenship for all loyal and faithful Indian citizens irrespective of race and religion from Indus to the Soas. Remember "those who have more will be added upto them but those who have not even that will be taken away from them which they have !" This is the inexpugnable law in this matter of fact world ! Capture and have then first the political power that exists ! Raise the standard of a Hindu Nation ! See to it that India must remain a Hindusthan Forever : never a Pakistan !—an Anglisthan never never !!! And let all India resound with

HINDU DHARMAKI JAY ! HINDU RASHTRAKI JAY !! VANDE MATARAM !!!

## Resolutions

The following is the text of the resolutions passed on the 29th. & 30th.

December :—

### I CONDOLENCE

The Hindu Mahasabha places on record its deep sense of loss at the sad demise of (i) Mahatma Hansraj, (ii) Hon'ble G. S. Khaparde, (iii) Pandit Atmaram Amritsari, (iv) Dr. Brojendra Nath Seal and (v) Pandit Mahabir Prasad Dwivedi, who during their life time served Hindusthan and Hindu cause with great zeal.

### II FUNDAMENTAL RIGHTS

Resolved that a Committee consisting of one representative from each Province and State be elected by the Members of the All India Committee of the Hindu Maha Sabha, to consider firstly the advisability of declaring fundamental rights and secondly, if it is in favour of the advisability of such a declaration, to present a detailed draft of such rights to the Hindu Maha Sabha before the next Session. The Committee shall have the powers to co-opt.

### III HYDERABAD (Aryan Namu BHAGANAGAR)

(a) In view of the fact that the Hindus in the Hyderabad State are not allowed to enjoy religious liberty and other civic, cultural and political rights and that the

Government of H. E. H. the Nizam has taken no steps to concede the legitimate demands of the Hindus in the matter and has thereby compelled the Hindus in and outside Hyderabad to resort to Civil Resistance, this Sabha accords its full support to the Civil Resistance Movements started against the Nizam Government and calls upon all Hindus to continue it vigorously and actively, until all the rights are conceded to the Hindus in accordance with their numerical strength in the State.

(b) The Maha Sabha condemns the attitude of the Congress authorities in weakening the movement of Civil Resistance by advising the State Congress to suspend their own movement out of fear of Muslim opposition and in once again betraying the cause and the fundamental rights of the Hindus.

(c) That a Committee be appointed by the President of the Hindu Mahasabha to consider the ways and means for supporting these movements of active Civil Resistance.

#### IV ARMY AND ITS CONSTITUTION, Etc.

(i) Whereas at the time of the real critical emergency very grave and entire responsibility for defence of Hindusthan will fall upon the Hindus alone both in the matter of fighting aggression from outside and of quelling internal disturbance, and rebellions and also in the matter of maintaining law and order in the country.

(ii) Whereas the defence organisation of Hindusthan in its triple departments the Army the Navy and the Air force, should be absolutely self-sufficient in all its details so that in times of emergency Hindusthan may not be obliged to look to and wait helplessly for assistance to arrive from England which may in all probability not arrive at all in time.

Resolved that to avoid such a fateful contingency it is high time for the Government (a) to make provision for the establishment of factories and industrial establishments for manufacturing in Hindusthan of Aero and Motor Engines, armoured tanks and cars, heavy guns of all sizes of latest types with their ammunition and with their research department, etc. (b) to establish immediately a Naval College and Air Force College; (c) to expand the Indian Military Academy, Dehra Dun so as to cope with the demand for completely Indianising the Indian Army as early as possible not later than 15 years, (d) to establish Feeder Military Schools in various provinces like the Bhonsla Military School, Nasik, and to subsidise them; (e) to expand the Indian Territorial Forces including the University Training Corps in the different Provinces (f) to modify the Arms Act in a manner so as to enable people to bear and possess arms with the same facilities which the people of the European Nations enjoy.

Resolved further that with a view to evolve financially and technically a sound practical scheme for this purpose, a Committee composed of Military, Manufacturing and Industrial experts both British and Indian, and of leading Indian politicians and statesman with non-official majority be appointed forthwith.

II. Resolved that in view of the fact that after the inauguration of the Federal Scheme of Government of Hindusthan, the Indian Army will cease to be the army of the British Government who alone have been so far entirely responsible for the composition of the Indian Army, as it is to-day, and that in view of the further fact that the Indian Army will then be the army of the Federal Government in the composition of which Federal Units will rightly claim representation according to their proportion in the general population of the country, the Hindu Mahasabha hereby brings it to the notice of the Government that (a) the present monopoly and dominance mostly of the so-called Moslem martial races of the Punjab in the present composition of the Indian Army is absolutely incompatible with the scheme of the Federal Government; (b) therefore, the method of recruitment hitherto followed be entirely changed, so that the distinction of martial and non-martial classes be forthwith abolished, and, (c) a common standard of physical fitness be prescribed and all those who will stand the test of the prescribed standard be eligible for recruitment in the Army, irrespective of caste, creed and colour, so that Federal Units be given an open opportunity to supply their quota in the composition of the Army.

III. The Hindu Maha Sabha strongly protests against the policy of the British Government in preferring persons from a few provinces and from a few specified classes only for recruitment to the Army and other Forces and in not distributing recruitment on the basis of merit alone over all the provinces and classes of people in Hindusthan. The Maha Sabha warns the Government against the potential harm

and the chances of extra-territorial troachery on the part of the Muslims which the present policy involves. The Maha Sabha, therefore, calls upon the British Government to so constitute the Indian Army and other forces as to enable all the Provinces and the classes of people to bear equally the burden of Hindusthan's defence and internal peace ; and with a view to create National Militia calls upon the Central and Provincial Governments to start up-to-date Military Colleges in each Province ; and to make Military training a compulsory subject in High Schools and Colleges.

#### V. AKHARAS, MILITARY SCHOOLS AND VOLUNTEER CORPS

The Hindu Maha Sabha urges upon the local Hindu Sabhas the need of opening the Akharas for the improvement of their physique, of starting Rifle Clubs on the lines of the Provincial Rifle Association of C. P. and Berar founded through the indefatigable and pioneer efforts of our revered Dr. B. S. Moonje and of providing Military Training and discipline for the Hindu Youths. The Hindu Mahasabha is delighted to find that the progress of Bhonsla Military School has, taking into consideration the manifold difficulties under which it has to function, proved satisfactory beyond expectation. The Hindu Maha Sabha also congratulates Dr. Hedgewar upon his untiring efforts made in this direction through his well-known organization, the Rashtriya Bwayam Sevak Sangh which is a great asset to the Hindu Nation and calls upon the Hindus in general and youths in particular to join it in large number all over Hindusthan.

#### VI. FEDERATION

(a) While the Hindu Maha Sabha is emphatically of opinion that the Government of India Act 1935 including the scheme of Federation adumbrated therein, is a highly inadequate, unsatisfactory and disappointing measure, the Maha Sabha, with a view to secure and maintain the integrity of the entire country, is of opinion that considering the present situation even the scheme of Federation as it stands in the said Act should be worked in order that British India and Hindu States should send to the Federal Legislatures only such representatives as would protect Hindu rights and interests so that the Legislatures may not be misused by the anti-Hindu, Anti-national and re-actionary forces in the country.

(b) The Hindu Maha Sabha strongly condemns the attitude of the Moslem League leaders disclosed by them recently at Karachi in proposing two Federations, one of the Moslem States with liberty to join any other Moslem State beyond the Indian Frontier and another of Non-Moslem States, as not only a serious menace to the growth of Indian Nation but also as a clear indication on their part to establish a full-fledged Muslim Raj in certain parts of the country leaving a door open for the future domination of the whole of the Hindusthan by their co-religionists, Indian or foreign.

(c) The Maha Sabha calls upon all the Hindus to wake up to the realities of the situation and rally all available forces in order to enable them to frustrate this Moslem object.

#### VII HINDU NATIONAL PARLIAMENTARY BOARD

Whereas the existence of at least two parties is essential for democracy to function, and whereas without an effective opposition party the Government is converted into a tyranny by one party and whereas the phenomenal success of the Congress in the last election, won by means of persistent propaganda representing that the present constitutional advance is the result of Congress sacrifices, has made the Congress High Command totalitarian and dictatorial in outlook and whereas the Congress policy has been consistently detrimental to the Hindu cause and has culminated in the Communal Award which has been practically accepted by the Congress and whereas the present constitutional advance is not the result of Congress sacrifices but of the sacrifices made by Hindus of all shades of opinion and action ;

Now, therefore, the Hindus assembled in this 20th Session of the Hindu Maha Sabha resolve that to combat the evil effects of the policy hitherto followed by the Congress and also for the purpose of forming an effective opposition party in the Legislature both Provincial and Central, ready to take over the Government if need be, a Hindu National Parliamentary Board be appointed to take all steps including preparation for fighting the next elections and appeal to all parties who are in agreement with this cause to co-operate and lend full support to the Board.

## VIII CONGRESS AND HINDU MAHASABHA

(a) The Hindu Maha Sabha enters its emphatic protest against the recent declaration made by the Congress to the effect that the Hindu Maha Sabha like the Muslim League is a communal organization and warns the Congress that having declared thus, it has forfeited its claim to represent the interest of the Hindus.

(b) That the Hindu Maha Sabha representing as it does the Hindus of Hindustan warns the Congress, the Muslim League and the Government that any agreement that may be arrived at between the Congress and the League or any plan of the Congress concerning the rights of the Hindus will not be binding on the Hindu Maha Sabha or on the Hindus generally.

(c) The Hindu Maha Sabha declares that it is the only national organization in the country and that there is no other national politics than that of the Hindu Sabha for the country as a whole and for the Hindus particularly.

(d) The Hindu Maha Sabha calls upon the Hindus to rally round the banner of Hinduism and Hindu Maha Sabha.

## IX COMMUNAL AWARD

The Hindu Maha Sabha reiterates its condemnation of the Communal Award as it is grossly unjust to Hindus, anti-national and undemocratic in character and as it makes the growth of responsible Government in India absolutely impossible.

The Maha Sabha refusing as it does to look upon the Communal Award as a dead issue, calls upon the Hindus to carry on persistent agitation against it, both here and abroad, until it is replaced by a system of real National Representation.

The Maha Sabha condemns the Congress members of the Assembly elected from the Hindu Constituencies in the various Provinces, particularly from Bengal, who in working the legislatures have in effect accepted the Communal Award and have been through their activities in the legislatures, helping the maintenance of the obnoxious Award.

## X ABDUCTION OF HINDU WOMEN &amp; CHILDREN

The Hindu Mahasabha views with great alarm, and draws pointed attention of the Hindu Nation to the growing campaign of abduction and conversion that is being systematically carried on, generally all over India, and more particularly in some provinces like Bengal, Bihar, Assam, Madras and N. W. F. P. and requests the Hindus to put a stop thereto :—

(1) by establishing in all places Watch and Ward Committees to note the activities of the Moslem and Christian missionaries in this behalf and to counteract them in all possible ways and by so adjusting social relations amongst the Hindus as to minimise the opportunities for abductions and conversions;

(2) by calling upon the Central and Provincial Legislatures to pass legislation punishing heavily forcible abduction and conversion, by opening at convenient places in each province Rescue Homes and Orphanages for the needy and helpless Hindu women and children and

(3) by running to the help of the victims immediately and by meeting out the due punishment to miscreants on the spot.

The Hindu Mahasabha recommends that attempts should be made to minimise the evil.

## XI MUSIC BEFORE MOSQUE

The Hindu Mahasabha declares that it is the social and religious as also the civic right of the Hindus to carry without let or hindrance their processions accompanied by music along all public roads at all times. This right has also been, from time to time, upheld by Courts of Law.

The Hindu Mahasabha, therefore, strongly resents the unwarrantable demands made by the Muslim community for stopping music on public roads, in temples and even in private places before and near the mosques in utter disregard of the religious, civic and legal rights of the Hindus and condemns the action of Government in restricting these rights in response to this demand.

The Mahasabha therefore calls upon the Hindus to assert and maintain this right in face of all opposition, whether private or official, ignoring all risks involved.

## XII SOCIAL LEGISLATION AGAINST HINDUS

The Hindu Mahasabha strongly condemns the attempts made in the Central and Provincial Legislatures in passing laws banning Hindus from reclaiming the converted

Hindus to the Hindu fold, and requests the Hindu members in the said Legislature to oppose stoutly the Bills and to see that they are not enacted into laws.

### XIII COW PROTECTION

(a) The Hindu Mahasabha is emphatically of the opinion that considering the religious sentiments and susceptibilities of the Hindus with regard to cow and also in view of the requirements of their prosperous husbandry, it should be the primary duty of the State to protect cows.

(b) The Mahasabha hereby requests the Government of the United Provinces to take immediate steps to stop at once the slaughter of cows in or near about Mathura—it being a holy city of the Hindus, any cow slaughter-house maintained deliberately in its vicinity cannot but be looked upon as a standing insult to the whole of the Hindu Nation.

(c) That the question of Satyagraha at Mathura should be referred to the U. P. Provincial Hindu Sabha for necessary action.

### XIV SHUDDHI MOVEMENT

With a view to secure the benefits of the noble teachings of the Hindu Religion and Culture to Non-Hindus, and in view of the serious roads that are being systematically made by other religions and cultures upon the Hindudom the Hindu Mahasabha calls upon all sections of the Hindu Nation to organise and consolidate themselves by whole-heartedly supporting the Shuddhi Movement by offering all reasonable opportunities to those who desire to be converted or reconverted to Hinduism, by extending to them all the rights and privileges which the other Hindus enjoy.

This Sabha impresses the political significance of the Shuddhi movement and is of opinion that when political strength of a community depends on the number of the representatives in proportion to its population, the decrease in the numerical strength of the Hindus caused by conversion to non-Hindu Faiths has told and must tell upon their political strength in the Legislatures as well—therefore the Shuddhi Movement constitutes not only a cultural and religious but a political necessity too.

### XV RAIDS ON THE FRONTIER

(a) The Hindu Mahasabha views with alarm the raids on the Frontier province villages which are on the increase during the regime of the Congress Ministry of the Province, and which have naturally created a feeling of great insecurity and unrest in the minds of the Hindu villagers about their life, liberty and honour.

The Mahasabha resents strongly the attitude of callous disregard displayed by the Congress leaders in regard to these raids.

(b) This Conference of the Hindu Mahasabha hereby recommends that a Committee consisting of Shriyut V. D. Savarkar and two other gentlemen to be nominated by the President to visit the Frontier Province at an early date and to enquire into :—

(i) The situation created by the Agrarian Legislation recently introduced by the Ministry.

(ii) The insecurity of life and property, including murders, abductions, and conversions, and

(iii) The grievances of the minorities particularly in the matter of education and recruitment to services.

And to submit its report to the Sabha for necessary action.

### XVI NATIONAL LANGUAGE & SCRIPT

The Hindu Mahasabha declares that Hindi (not Hindusthani—rather 'Sanskrit nistha' Hindi) that is based on and drawing its nourishment from Sanskrit vocabulary is and rightfully deserves to be the National Language and Devnagari as the National Script of Hindusthan. The Mahasabha strongly condemns the overt attempts made by the Indian National Congress in general and the Congress Governments in particular to make Hindusthani as the Lingua Franca of this country in craven fear of, and with a view to placate, the Moslem opinion in this behalf. The Mahasabha calls upon the Hindu community to resist stoutly by all means in its power all such attempts to recognise and encourage Hindusthani in preference to Hindi.

## XVII INDIAN STATES

The Hindu Mahasabha declares that the Congress policy of coercion and interference in the internal administration of the Indian States under the plausible slogan of Responsible Government is not genuine and in as much as the Congress activities in the matter are restricted to and concentrated only in the Hindu States to the practical exclusion of the Muslim States like Hyderabad, Bhopal, Bahawalpore, Rampur, Malerkotla etc. and therefore it declares that such activities of the Congress are of the nature of harassment and that it is nothing short of abuse of its power to instigate troubles particularly in the case of such advanced and well-governed Hindu states as Travancore, Mysore, Baroda, etc.

## XVIII TRAVANCORE

(a) This session is of opinion that the agitation carried on in Travancore is not political but communal, and is started by Christians with a definite purpose of establishing their communal supremacy in the State and of capturing its Government and calls upon every Hindu to refrain from lending any support whatsoever to this artificial agitation of the Christian community who are up-set by the throwing open of the Hindu Temples to Harijans which step has proved to be a death blow to the Christian proselytization.

(b) The Hindu Mahasabha is extremely grieved to see the indifferent attitude of the rulers of Hindu States towards the oppression of the Hindu subjects in the Moslem States and requests the Hindu Mahasabha to put the grievances of such Hindu subjects before the ruler of the Mohammadan States and have them redressed.

## XIX BHOPAL REPRESSION

The Hindu Mahasabha expresses its resentment that His Highness the Nawab of Bhopal has turned a deaf ear to all previous resolutions and representations on the part of the Mahasabha calling upon his Government to put an end to all ill-treatment of the Hindus that obtains there. It seems His Highness' Government is determined to continue their policy of harassing the Hindus, denying them their civic liberties, ousting them systematically out of State services, allowing them to be systematically persecuted by Moslem gundas and thus forcing them to embrace Islam.

As the very life and property of Hindus in the State there has become insecure and as their sufferings have become intolerable, this Session warns the Bhopal Government that unless this policy of mis-rule is abandoned forthwith and unless the Hindus there are accorded full protection of life, religion and property and unless civic rights and representation proportionate to their population in public services and administrative and legislative bodies are immediately granted, the Hindu Mahasabha will be compelled to embark upon a civil resistance movement against that State to rescue and defend the rights of Hindu subjects in that State.

## XX DELHI SHIVA MANDIR

(a) This Session of the Hindu Mahasabha declares that the Shiv Mandir agitation at Delhi has been launched to protect and maintain the civic and religious rights of the Hindus. This Session congratulates the leaders and the workers at Delhi for their bold stand and highly appreciates the sacrifices and sufferings undergone for that sacred cause.

(b) This Session places on record its deep sense of indignation and abhorrence against the unwisdom, unjust and highly provocative action of the Delhi Government in demolishing the ancient Shiva Mandir at Delhi, in prohibiting even an individual from visiting the site for worship under Sec. 144 of the Cr. P. Code, in wilfully breaking compromise mutually arrived at and in inhumanly maltreating the Volunteers and Workers.

(c) Whereas in the opinion of this Session the application of Sec. 144. of the Cr. P. Code only with regard to Hindu religious place at Delhi is an unwarranted interference with the religious rights of the people, this Session, therefore, strongly appeals to the Hindus of all shades of opinion to help this agitation with men, money and material.

## XXI HINDU SWADESHI

In view of the fact that Muslims have been encouraged to make purchases from only the Muslim shops and that the Muslim Leaguers and other Muslim leaders

are encouraging this mentality under the slogan of Muslim Swadeshi, this Conference calls upon the Hindus to make their all purchases from Hindu shops only.

#### XXII ASSAM IMMIGRATION

In view of the fact that there has been an organised attempt on the part of the Moslems to turn the Hindu Province of Assam into a Moslem one, this Session of the Hindu Mahasabha resolves that immediate and special steps be taken to check it effectively.

#### XXIII ASSAM HILL TRIBES

The Hindu Mahasabha resolves that immediate steps be taken to organise the Hill areas of Assam in order to protect the Hill people from the hands of Christian Missionaries and to give them facilities in regard to education, sanitation, communication, etc.

#### XXIV HOMAGE TO MARTYRS & HEROES

(a) This Session of the Hindu Mahasabha pays its humble homage to the Martyrs who have suffered Martyrdoms at the hands of Hyderabad State and fanatic Muslims, the prominent among whom are (i) Mr. Shamal Vakil, (ii) Dharma Prakash, (iii) Mahadeo (iv) Rama; (v) Bhimrao Patel and (vi) Manikrao of Nizam State (vii) Mahadeo and (viii) Gundalal of Indore State. It offers its heartfelt sympathies to their bereaved families.

(b) The Session congratulates all those gentlemen who have suffered bravely for the Hindu cause and particularly : (i) Mr. Gangaram Khanna, the General Secretary of the Gujrat Provincial Hindu Sabha, (ii) Mr. Lalsingh, Secretary, Arya Samaj, Gulbarga, (iii) Mr. Chitale of Sangli and others.

(c) This Session expresses its appreciation of the spirit of self-sacrifice shown by young Mr. Sitaram Balaji Gaikwad, a second year student of Morris College, Nagpur, who was sentenced to three and half years' rigorous imprisonment for attempting to murder Mr. Shareef, ex-minister C. P.

#### XXV RUSTICATION OF HYDERABAD STUDENTS

A. This Session of the Hindu Mahasabha appreciates with pride the brave and sacrificing spirit shown by the Hindu students of the Osmania University and other educational institutions in the cause of Vandematram, the sacred hymn of our Mother-land.

B. This Sabha appreciates the prompt action of the Nagpur University and its Vice-Chancellor Mr. T. J. Kedar, in offering all possible facilities to the rusticated students of Hyderabad.

C. The Session assures these students of its full support and urges all Hindus to help their cause till it is successful.

#### XXVI POLLUTION OF SACRED RIVERS

In view of the fact that since the advent of the British rule the rivers that are sacred and holy places of pilgrimages in this country have been polluted by the discharge of sewage and sullage water in such rivers in callous disregard of the religious feelings of the Hindus, this Session of the Hindu Mahasabha urges upon the Governments concerned that such discharge must be immediately stopped throughout India and in future they should see that there shall be no such pollution.

#### XXVII BURMESE RIOTS

Resolved that this Session of the Hindu Mahasabha joins with their Buddhist brethren in Burma in condemning those Moslems in Burma who attacked Lord Buddha wantonly and deplores the riots that followed and calls upon our Burmese brethren to take note of the fact that in Burma Moslem proselytization is going on both openly and secretly and the Muslims after marrying Burmese girls claim the children to be Muslim children with a view to create a schism in Burma as Muslim Burma and Buddhist Burma.

#### XXVIII POLICY OF THE PUNJAB GOVERNMENT

This Mahasabha strongly condemns the reactionary, onesided and oppressive policy followed by the Punjab Government in as much as, inter alia

(a) It has failed to repeal or suitably amend the Punjab Alienation of Land Act which by creating an artificial class of agriculturists deprives one half of the population of the Punjab, mostly Hindus, of the right of acquiring agricultural land and is calculated to pamper a class of parasitical landlords at the expense of the poor peasant proprietors.

(b) It has recently passed a series of bills now notorious as Black Bills which are calculated to do the greatest harm to the Hindus of the Punjab and to destroy their trade and commerce, their freedom and independence by making their business entirely dependent upon the good-will of the Government and their minions.

(c) It has ruled that 60 per cent of the jobs in some public services would be given to Zamindars, which in the peculiar circumstances of the Punjab means practically Musalmans.

(d) In order to conceal its communal activities, nepotism and other irregularities and in order to avoid supplementary questions, it has ruled that no questions regarding the distribution of jobs amongst various communities and other matters affecting their interest shall be answered on the floor of the house of the Provincial Legislative Assembly.

(e) It has by taking frequent action against Newspapers mostly Hindus, seriously impaired the freedom of the Hindu Press and by the introduction of a repressive Bill it is keeping Domacles' sword hanging over their heads.

(f) It has started a campaign of vilification against the non-zamindar Hindus of the Punjab and the Premier and some of the other Ministers have been personally carrying on a mischievous and malicious propaganda against them in the length and breadth of the Province.

(g) It has failed to redress the grievances urged by the peasants of several districts of the Punjab and has on the other hand subjected them to lathi charges and other hardships.

(h) It has taken action against a number of Hindu political workers and has by executive action interned an important Sikh member of the Punjab Legislative Assembly and prevented him from attending the meetings of the Assembly although he was elected unopposed by his constituency.

(i) It is generally behaving in an autocratic and despotic manner and making every effort to favour Muslims at the expense of the Hindus and creating a poisonous atmosphere against them in the Province.

सत्यमेव जयते

# The All India Muslim League

26th. Session—Patna—26th. December to 29th. December 1938

## The Welcome Address

The 26th. Annual Session of the All India Muslim League was held at Patna on the 26th. December 1938 and continued for the next three days under the presidency of Mr. *Mahomed Ali Jinnah*. Welcoming the president and the delegates Mr. *Syed Abdul Aziz*, Chairman of the Reception Committee traced the historical importance of Bihar and Patna, the City's glory under the Mauryas and its zenith of glory during the rule of the Maghuls. "The downfall of the Moghul Empire plunged the unfortunate Mussalmans of India into a state of helplessness and bewilderment and for a long time they could do little but mourn their fate. Subdued and awestruck by the new regime set up by the British they at first remained distrustfully aloof from all new ideas and movements, and took no steps to reform or improve themselves in accordance with the changed conditions of the times. A new awakening later came over them and they showed that they were still a force to reckon with. They played a prominent part in the memorable struggle for independence which took place in 1875. In Bengal, Bihar and Mysore, they shed their blood like water to stem the tide of foreign domination. The wars waged by Seraj-ud-dowlah, Mir-Kasim and Tipu Sultan to preserve the independence of the country will always remain enshrined in history as some of the noblest examples of patriotic endeavour."

Mr. Aziz said that in 1916 the Muslim League, keeping pace with the Congress, demanded independence for the country and as a proof of the sincerity and earnestness of the Mussalmans whom it represented, signed a pact with the Hindus. It was fully realised by the Mussalmans that for attaining the freedom of the country it was essential for the Hindus and Mussalmans to be united and welded into one strong nation.

"But the Nehru Report of 1926 shattered the foundation of unity and destroyed all hopes of concerted action in the cause of freedom. It became apparent to the Mussalmans that the demand for independence by the sister community was nothing more than a cloak for gaining political domination to the exclusion and detriment of the other communities living in the country." Mr. Aziz ascribed the late Maulana Mahomed Ali's opposition to the Nehru Report to this reason and said that Mussalmans all over India became distrustful of Congress professions. He accused the Hindu leaders of sidetracking the issues raised by Mr. M. A. Jinnah and Maulana Mahomed Ali at the Calcutta Convention for amending the Nehru Report and said that at the Round Table Conferences the Mussalmans gave ample proof of their sincerity but the Hindu leaders did not join them in evolving a satisfactory solution of the communal problem.

In this connection Mr. Aziz observed that the "fear of the Mussalmans that the Congress in reality wanted to establish Hindu Raj in which the military and external powers of the British would remain intact while the administration and internal powers were vested in the Hindu majority who would set about reducing the Mussalmans to a state of serfdom has been amply justified and confirmed".

At present there were many conflicting and contradictory ideologies in India—Nationalism, Bolshevism Fascism etc., and these had only served to make India's political, social and cultural problems still more complex by creating new differences and accentuating the existing ones. In their whirls, Mr. Aziz saw the need for Mussalmans to organise themselves for the purpose of self-preservation on the one hand. Gandhiji and his followers wished to base the future development of India on the cultural back-ground of Hindu history and ideology in the name of Nationalism. But recently a new party had come into prominence which intended to reconstruct a united Indian nation by obliterating all religious differences and setting up a new civilisation, based on Western thoughts and ideals. Though not an open enemy of religion the party considered it unnecessary or of only minor account and the new creed of Socialism was undoubtedly highly detrimental to Mussalmans.

Mr. Aziz said that the reluctance of the Mussalmans in not participating in the Congress programme was not due to the fact that the Muslims lacked in any way love for their country or were oblivious to the need for solving its economic problems. What they objected to were the means and methods presented by the majority community. He held Nationalism and Socialism opposed to Islamic ideals and said that apart from the effects of the grant of Provincial Autonomy, the movements he had referred to were some of the other causes which had served to give the Muslim League "a new lease of life."

"The Mussalmans cannot join hands with the Socialists", said Mr. Aziz, expressing the inability of Mussalmans to co-operate with the Congress and the Socialists. The Socialists, he said, had a materialistic view of life and considered religion a superfluity and the Mussalmans did not agree with the solution of the economic problems they offered. As regards the Congress, he did not consider it to be sensible for the minorities to leave their fate in the hands of the Congress, which he described as a "preponderatingly Hindu body, having in its ranks a considerable number of wealthy capitalists and bigoted politicians, determined to serve their own communal and economic interests."

Laying down the policy of the League, Mr. Aziz said that the League had no wish to quarrel with others on account of their views. It would only identify itself with such movements as accorded with Islamic ideals and principles and were directed towards securing the greatest amount of good for all. "It will not allow the kisans to be persecuted and tyrannised over by the Zamindars nor will it try to gain their support by holding out to them promises incapable of fulfilment. Similarly, it is prepared to label the landowning class a set of tyrants and oppressors." He also said that the League would try to steer a similar middle path between Labour and Capital by securing for Labour higher wages and better conditions of employment without making it unprofitable for capitalists to invest their money in industrial enterprises. He said that the critics of the League did not realise that it was a good omen that the Mussalmans, hitherto a backward section of the people, were organised. If they had remained disunited, they would not be able to contribute to the progress of the country. Mr. Aziz concluded by enumerating the grievances of the Muslims.

#### The Presidential Address

The following are extracts from the presidential address delivered by Mr. M. A. Jinnah :—

At the outset, Mr. Jinnah referred to the services rendered by the late Manlana Shaukat Ali in the cause of the country and the Muslim community. He regretted his death and that of Sir Mahomed Iqbal and of Kamal Atatürk.

Proceeding, Mr. Jinnah said that the question which confronted the Muslims of India was whether the eighty to ninety millions of Indian Muslims would continue to remain in a state of inertia and demoralisation (Cries : No no). Recapitulating the struggles of the League, he said that it had laid down its policy for the political advancement of the Muslims. Only a few years ago, he said, the position of the Muslims was such that they would either have to owe allegiance to the imperialistic Government or submit to Congress principles, since political consciousness had been confined so long to "careerists, either in the bureaucratic or the Congress camps." Many youngmen were deluded into believing that the Congress was lighting for the freedom of the country; this fired their imagination and enthusiasm and they easily fell into the net spread out for them by the Congress—only to be disillusioned eventually.

Mr. Jinnah continued that the Congress had dashed every possible hope of arriving at a settlement of the Hindu-Muslim question on the rocks of Congress Fascism. In fact, it did not want a settlement with the Muslims on equal terms. Its claim that it alone represented the entire country was preposterous. The League and the Muslims did not want any gifts or concessions from the Congress. The Muslims wanted to advance as a nation. The Congress might go on saying that it was a national body, but it was not in fact. It was only a communal Hindu body and it knew it. That a few Muslims had been misguided into joining its ranks did not mean that the Congress represented the Muslims. The Congress did not represent any community properly, least of all the Muslims. It was intoxicated with the power it had so far obtained. He was now convinced, and many others with him, that the Congress High Command were determined to

force their own culture on others and to establish a Hindu Raj. An instance to this was the Bande Mataram song which, it was insisted, should be sung and honoured by everybody, including the Muslims. They insisted on the Congress Flag being hoisted even on Government buildings and honoured by all. Then there was the question of Hindi and Hindustani, but the real intention behind the move of advocating Hindustani was to suppress Urdu.

Referring to the Wardha Education Scheme and the Vidya Mandir Scheme, Mr. Jinnah said that these had been propounded after careful deliberation and with a definite object. The genius behind these was Mr. Gandhi and it was Mr. Gandhi alone who destroyed the very ideals with which the Congress started its career and converted it into a communal Hindu body, with a view to a revival and propagation of Hindu culture. To-day, the Hindus' mentality and outlook have been developed in the direction of imagining that they were already the ruling nation and advantage was being taken of it to suppress Muslims as much as possible. Repressive measures were being adopted against the Muslims, who figured in arrests made by the Congress Governments and even the Muslim press was gagged. The Muslims were struggling vainly for asserting their legitimate rights. Proceeding Mr. Jinnah said that the League had assiduously and gradually established itself and developed into a strong national body of the Muslims. But a great task lay ahead of them. They had so far only stirred from sleep and their political consciousness had to be developed along with their moral and cultural consciousness. He admitted that the Hindus had to a large extent acquired the essential quality of cultural and political consciousness, which could be termed national consciousness. He wanted the Muslims to develop to the same degree, if not more, such national consciousness. Mere numerical strength was not enough.

Turning to the immediate problems affecting them, Mr. Jinnah hoped that the Muslims would make sacrifices for their national uplift. He referred to the sacrifices made by the Arabs in Palestine in their national struggle and deplored that they were being termed rebels and brigands and treated as such whereas really they were heroes and martyrs. In the interests of international Jewry, who were capitalists, monstrous injustice was being done to the Arabs. The Indian Muslims could not remain unconcerned in the matter and would not shirk making any sacrifices for their Arab brethren.

#### CONGRESS POLICY IN STATES

Turning to the Indian States, Mr. Jinnah said that he had the fullest sympathy with the aspirations of the States peoples for constitutional advance, but he wanted to warn them against the Congress motive in creating an agitation among the States subjects. He wanted to point out that it was not the object of the Congress leaders to bring about peace in the States. They talked loudly about the uplift of the States peoples, but he questioned seriously what the Congress had done in Kashmir. The Congress wanted to establish an alliance with the States subjects in opposition to the present alliance between the British Government and the States rulers. This was only to secure numerical strength in the Central Legislature where they could continue to dominate the Muslims and guide their destiny. If the Congress was determined to carry out its ulterior and sinister motive in the States he would have to come to the rescue of the Muslims in the State in the event of their being exploited by the other body despite the fact that, according to its present constitution the League could not interfere in the internal affairs of the States.

On the question of Federation, Mr. Jinnah said, there were conflicting opinions among Congressmen themselves. They, however, would not object to Federation, if they had their own majority at the Centre. They wanted to establish an authoritative totalitarian and Fascist Hindu Raj. They had a Congress majority in seven Provinces and, in the other, although they had no majority, they were striving their utmost to delude the Muslims there into believing that the League was an ally of imperialism and the imperialistic Government and thereby alienate them from the League. Mr. Jinnah challenged anyone to prove that he had identified himself with imperialistic interests. "Nowhere in any career have I allied myself with imperialism, outside or inside the Legislature". He added that the League would never be an ally of anyone except the Muslim nation. The Congress wanted sufficient powers at the Centre solely to direct its activities against the present Governments in the Provinces where the Muslims were at the helm of affairs. By means of the

Federation the Congress would be able to reduce the four Muslim Provinces into mere feudatories. Proceeding, Mr. Jinnah said that if the status of the Muslim League was to be raised, the Muslims would have to organise ceaselessly.

Speaking in Urdu, Mr. Jinnah welcomed the growth of the national awakening among Muslims and added that the Muslim Mass Contact Movement of the Congress had failed despite the best efforts to obtain the allegiance of Muslims. The fact that Maulana Abul Kalam Azad or other Muslims had joined the Congress would not mislead others to join it. He invited cordially those Muslims who were at present in the Congress to come under the banner of the League and serve the people and the country.

### Resolutions—2nd. Day—27th. December 1938

#### DIRECT ACTION BY MUSLIMS

The resolution advocating direct action by Muslims following the atrocities committed on them in three Congress Provinces and the suppression of their legitimate rights and interests was moved by Mr. *Aziz Ahmad Khan* (U. P.) and occupied almost the entire time of the second day's sitting of the League.

In moving the resolution on direct action Mr. *A. A. Khan* said that Muslims would adopt all possible means sanctioned by their religion in order to defend their rights and interests and would not hesitate to make any sacrifices to achieve that end. (Loud applause). He added that such a decision should be reached after careful deliberation and direct action would be undertaken only as the last resort. Muslims would adopt measures even more drastic than civil disobedience, if necessary. Such action would be taken not against any other community but against Government. Out of the three Provinces concerned, namely, Bihar, U. P. and C. P., atrocities and repression had been carried out by Bihar and C. P. in a greater measure than in U. P. He however warned the U. P. Government that if they attempted to emulate the two adjacent Provinces in oppressing the Muslims, the latter would strive their utmost to assert their rights in a greater degree in that Province.

Mr. *Ashi Hussain Warsi* (Bihar), seconding the resolution, spoke in the strain of the previous speaker and pointed out cases of alleged oppression carried out by the three Congress Governments in the Provinces mentioned above. As an instance, he recounted an incident which, he said, occurred in Hazaribagh, where a Muslim had been maltreated and humiliated by the police. He added that when the Congress Government were questioned with regard to such incidents, they took shelter by saying that the matter was under investigation, and hence sub-judice. Thus, Muslim rights of cow-slaughter, taking out of processions, etc. had always been interfered with, and even suppressed, under the pretext that many Muslim rites were against local custom.

Mr. *Syed Abdur Rauf Shah*, Leader of the Muslim League Party in the C. P. Assembly, supporting the resolution, narrated the grievances of Muslims in C. P. including the grossly inadequate representation of Muslims in the services and public bodies. He added that C. P. Muslims were the most persecuted. He referred to the singing of the Bande Mataram song and to the term Vidya Mandir which were highly resented by Muslims. Attempts were also being made to suppress cow-slaughter in that Province and legislation to this effect, he said, was proposed to be brought forward. The C. P. Muslims would anxiously wait and see if the Governor would give his assent to a measure, which was directed against the traditional religious rights of the Muslims.

The hon. *Sir Sikander Hyat Khan*, Punjab Premier, then rose amid loud cheers. He said that he did not intend to speak on the resolution but mention had been made of the Muslim-majority Provinces and he would like, therefore, to explain the position in his Province. The grievances of Muslims in the Congress governed Provinces would prove a revelation to any sane thinking person and certainly would cause concern to any Muslim. He had always avoided saying anything about the administration in other Provinces, which might be termed a criticism. The Muslims were not in an overwhelming majority in the Punjab, but he had assured Mr. Jinnah at the Lucknow session that on the question of safeguarding Muslim interests, every Muslim would stand behind the League.

Referring to his difficulties, Sir Sikander said that there were certain traitors in the Muslim League camp who had been intriguing with his opponents with a view to creating dissension in the Muslim ranks. It was easier to deal with open enemies

but it took time to expose and deal with secret 'serpents in the sleeves'. The time, however, had arrived to deal with them properly, which would be done by the provincial organisations. He would like to assure Indian Muslims that despite these intrigues his Government were firmer now than ever before. He had been following the policy of scrupulously safeguarding the interests of all communities. He had given the minorities 50 per cent representation in the Cabinet and the Services. He thought that the Congress Governments in some Provinces had been intoxicated by their newly-acquired power, they should remember that ninety millions of Muslims could not be suppressed or turned out of the country as a minority. The Congress dream of Swaraj would never come true if they did not learn to practise toleration. Happenings like those mentioned by the mover and others, if they were not stopped and were allowed to grow in number might lead not only to civil disobedience but to worse results. It had been asked what help the Muslim majority Provinces would give them. Mere paper resolutions would not help, nor were Government able to protect the minorities. He assured Muslims in the minority Provinces that if the necessity arose every Punjab Muslim would be prepared to lay down their lives in the defence of Islam. Referring to the controversy about his offer of military help to Britain, Sir Sikander said that his intention of making such a statement was not to offer help to Britain, but to assist the growth of solidarity among Indians. He was pained to find even Congressmen criticising him, but he had made the position clear when he said that he would oppose sending Indian troops to Palestine. Concluding, Sir Sikander Hyat Khan said that he was a practical man and no weaver of words. If the need arose, he would demonstrate that he could fight better than his critics.

The hon. Mr. A. K. Fazlul Huq, Bengal Premier, supported the resolution. He declared that the Bengal Ministry was not in any danger, although antagonists of the Government had made various baseless statements that the overthrow of the Cabinet was imminent or that factions and dissensions had crept in. He continued that if Muslims decided to launch civil disobedience, he could speak on behalf of Bengal Muslims that they would stand solidly behind the move. Perhaps, there was no Muslim Minister in India, who would not resign his office and join the movement when launched. In fact, he would be the first to do so. The League had not been able to assert itself in Bengal to the same degree as in some other Provinces. He hoped however that it would establish itself in Bengal more firmly than in the past. Referring to the Muslim Mass Contact movement of the Congress, Mr. Huq said that such contact was no more possible than contact with the man in the moon. He sounded a note of warning that if oppression continued against Muslims in the Hindu Provinces, the Government of India too would cease to function; at least, it would be their duty to prevent its working and they could do it by bringing to a standstill the administration in the non-Congress Provinces. He hoped that the Congress Governments would be endowed with better sense and change their treatment of Muslims, otherwise the latter would be compelled to resort to civil disobedience and direct action.

Sheik Abdul Majid, M. L. A. (Central), said that it was the first time in the history of the League that civil disobedience had been contemplated. The Congress Governments must realise that civil disobedience would not be confined to the Province where it was launched but that Province would become a "place of pilgrimage to the Muslims all over the country".

Sir A. M. K. Dehlavi (Bombay), supporting the resolution, said that the time had arrived when every Muslim should be united with every other Muslim under the banner of the League. He had been perturbed by the situation in Sind and the Frontier, but he hoped that the Muslims in these Provinces and the Punjab would attain greater solidarity through the League and that the Muslims in the minority Provinces would stand shoulder to shoulder in the march to common progress.

Mr. Latifur Rahaman, M. L. A. (Orissa), speaking on behalf of the Muslims of Orissa, said that they were imbued with the same religious favour and enthusiasm as the Muslims in other parts of the country, although the Orissa Muslims were in a microscopic minority. He supported the resolution.

Mr. Abdul Matin Chowdhury, a former Minister of Assam, referring to the situation in his Province, said that in the present Government, there were four Ministers, who had no following whatever. He pointed out the methods adopted by the Congress in attempting to overthrow the past Government. The League was not yet

properly organised in Assam but the last three months of Congress rule in Assam has made the League more popular than ever before. He supported the resolution.

*Sardar Aurangzeb Khan* (Frontier) declared that he would not rest until the present Ministry in the Frontier Province had been replaced. It was an irony of fate and a curse that the Frontier, having more than 90 per cent of Muslims, should be under the Congress Administration. The Congress lived in a world of illusion. It was not Indian nor National nor Congress. The Muslims need not look up to Kamal Ataturk for guidance. They had two Ataturks in India, the Punjab and the Bengal Premiers. The Congress relied on the strength of their numbers. But the Muslims relied on the strength of the Almighty. "Hands off C. P. Muslims" was the warning given by him to the Congress which, if unheeded, would result in history repeating itself. He recalled that a handful of Muslims from North-West corner had pushed their way further inland. It was not possible to ignore the ninety million Muslims and govern.

The last speaker was *Maulana Zafar Ali Khan*, who congratulated the League on the resolution which was passed unanimously amid loud acclamation.

The sitting was thereafter adjourned.

### Third Day—Patna—28th. December 1938

#### THE PALESTINE SITUATION

When the third day's sitting of the League session commenced this morning, the resolution on the Palestine situation, as adopted by the Subjects Committee last night, was taken up and adopted after two hours' discussion.

*Maulna Mazahuruddin*, in moving the Palestine resolution, severely criticised the Balfour Declaration and said that British sympathy for Palestine Jews was actuated by imperialist motives. He accused Britain of instigating a number of Arabs into rebellion against their own people. The British policy in Palestine was a direct challenge to Islamic doctrines, and, he stated, the shrines were sacred to Muslims. They would not be hoodwinked into believing that the Conference called by the British Government to settle the Palestine problem would fully represent Palestine Arabs.

Delegates from almost all Provinces spoke, including *Sir Reza Ali*, who said that the world was not prepared to accept the plea made by Britain that because Germany was persecuting the Jews, the latter should be thrust on the Arabs. He considered that Britain's "atrocities" against the Arabs were greater than those of Germany against the Jews. It was anomalous that when the Versailles Treaty was being observed only in its violation, Britain should turn to the Balfour Declaration in support of her policy in Palestine. Referring to the forthcoming conference on Palestine affairs, *Sir Reza Ali* said that it was based on "gross injustice." Like Germany's anti-Jewish activities, he said, Britain, too, was carrying out the same "oppression and oppression" in India. The rights of Indians were being trampled upon through the policy of 'divide and rule' and Indian Muslims were at the greatest disadvantage now that the Congress also had a finger in the pie. As regards the attempt to provide a national Home for Jews, *Sir Reza Ali* said that religious scriptures had laid down that the Jews would never have a home but the "British would overrule the will of God in providing a home for the Jews."

*Maulana Mahommed Irfan* said that every Muslim in India realised fully the gravity of the situation in Palestine since it directly concerned their religion. Muslims would even invite other Powers, such as Germany and Italy, to assist them if Britain continued her present policy in Palestine. The British Prime Minister, he said, had been acclaimed as the greatest peace-maker of the world at present, while in the birth place of the Prince of Peace, innocent men, women and children were being slaughtered. The speaker produced what he described as a picco rifle-bullet or shell-splinter used against the Arabs, which was followed by loudly expressed resentment from the gathering, condemning British policy in Palestine and urging a boycott of British goods.

*Maulana Hussain Mian* (Bihar), supporting the resolution, said that Britain had turned down the assurance given by Mr. Lloyd George that Britain would not look to the Islamic countries for territorial acquisition. Muslims had to move with caution, since they had to face antagonistic forces all over the world.

*Prof. Abdul Sattar Khatri* (Punjab) pointed to the need for taking practical steps to carry out the intention of the resolution. He said that both the British and

the Hindus were Jews to Meslems, that is, their enemies. In India, Mr. Gandhi was the leader of the Jews (Hindus).

*M. Abu Sayeed Anwar* (Punjab) stated that the ninety millions of Indian Muslims would rise to a man to support the Palestinian Arabs in their struggle.

*Maulana Abdul Hamid* (U. P.) said that Indian Muslims would wage a holy war (Jihad) to defend Muslims.

Mr. *Abdul Khaliq* (Karachi) described British Policy in Palestine as being pursued only for preserving the integrity of the Empire under the cloak of the "white man's burden." The real Jews of the West were the British and those of the East were the Hindus and both were the sons of Shylock.

Prof. *Inayatullah* (Lahore) asserted that Muslims would never tolerate violation of the sanctity of Palestine nor that it should be under the perpetual subjugation of Britain.

At the instance of the chair, a previous speaker withdrew his remark, "Jews of the East and West were sons of Shylock", which was considered objectionable.

Mr. *Jinnah*, clarifying the position, said that such statements were not in keeping with the dignity and prestige of the League and requested the speakers not to be carried away by passions but to exercise restraint, not wounding the susceptibilities of other communities. After a few other delegates had spoken, the resolution was put to vote and carried unanimously.

#### WOMEN AND THE LEAGUE

The House next took up the resolution relating to women, as adopted by the Subjects Committee, last night.

*Begum Habibullah* (U. P.) moving the resolution pointed out the need for women's advance side by side with men. Women, especially Muslim women, were particularly backward in every sphere of life and this proved an obstacle to the economic and social progress of the community. It was necessary that Muslim women should not only confine their activities to the hearth and home but should come out of their seclusion, acquaint themselves with the problems and events of the modern world and marshal their energies to protect Muslim rights and interests. Islam granted greater privileges to women than other religions and Muslim women should take full advantage of it.

Considerable stir was created in certain sections of the gathering when *Maulvi Muhammad Farooq* (U. P.) supporting the resolution, referred to the Purdah system, which (he said) should not prevent Muslims from advancing to progress. Loud protests resounded from the conservative sections defending Purdah, which (they said) was sacred to Islam.

The *Chair*, intervening, urged the audience not to give way to excitement and explained that the resolution only stated that women should be given an opportunity to organise themselves under the League in order to support it.

The resolution was carried by an overwhelming majority.

#### LEAGUE'S OFFICE-BEARERS

The next resolution taken up related to the office-bearers of the League. It was announced that the Raja of Mahmudabad had been nominated Treasurer of the All-India Muslim League, Nawabzada Liaquat Ali Khan (the present Secretary), Secretary; Malik Ali and Sheikh Abdullah, Joint Secretaries. The resolution was carried unanimously.

The *Raja of Mahmudabad* pleaded for funds for the League. He said that he wanted to collect at least ten lakhs of rupees within six months, which would go to the central fund of the League. The sitting was then adjourned till the evening.

#### RESOLUTION ON STATES

The evening's sitting of the League to-day passed the resolution on States as adopted by the Subjects Committee last night.

Mr. *Hossain Imam*, Member of the Council of State from Bihar, said that the League had already declared that it would not interfere in the internal administration of the States for various reasons, one of which was that Rulers of States were Indians, and as such, had the sympathy of the League. But the Congress and certain other Hindu organisations were interfering directly and indirectly in some States, where the Hindus were in a majority "with ulterior motives." Various allegations

were made against certain States, especially Hyderabad, because it was governed by a Muslim Ruler, said Mr. Hossain Imam, but the Congress had nothing to say on Muslim complaints against Kashmir.

Mr. *Mushtaz Ahmad*, Parliamentary Secretary of the Punjab Government, supporting the resolution, described the Congress as not national and added that the Congress had directed its "Home Department—Hindu Mahasabha" to take steps to bring the States under its influence. He added that the Congress kept its eyes shut as regards Muslim rights in Kashmir. He accused the Congress of suffering from a "minority phobia" and trying to suppress the Muslims in every conceivable manner both in British India and the Indian States. He warned the Congress or allied organisations against interfering with the States with a view to persecuting Muslims as the latter would adopt every measure to counteract such activities.

*Khan Sahab Abdur Rahman* (C.P.), supporting the resolution, said that Britain and the Congress were in collusion, attempting to establish a Hindu Raj in the States, especially in those ruled by Muslims. The Congress had come to realise that it would not meet with much success in damaging Muslim interests in Northern India, where Muslims were in larger numbers. Hence all the activities of Mr. Gandhi were directed towards rooting out Muslim culture from the Deccan and convert it again into a perpetual stronghold of Hinduism. Hyderabad was the most important State in India ruled by a Muslim, but having a majority of Hindu population. The Congress agitation in that State was designed solely to bring Hyderabad under Hindu subjugation. He warned the Congress Muslims never to allow it to happen.

*Haji Abdul Qadir* (Bihar), speaking on the resolution, said that the motive of the Congress agitation in Hyderabad was to suppress the growth of Urdu. Moreover, the Congress had set up the agitation in order to disrupt the cordial communal relations existing in that State, thanks to impartial administration, and to create discord and disharmony with a view to creating a deadlock in the present administration.

Mr. *Muhammad Asghar* (C. P.) said that the resolution would expose the "hypocrisy" of the Congress and its sinister designs with regard to the States. By winning over the States' subjects who were mostly Hindus, the Congress hoped to gain a majority in the Federal Legislature and thereby to continue to suppress Muslim interests.

Mr. *Kashmirwala* (Delhi), supporting the resolution, pointed out the generosity and the munificence of the Nizam in supporting not only Muslim but also Hindu institutions.

#### AMENDMENTS TO LEAGUE CONSTITUTION

The resolution relating to amendments to the constitution of the League was next taken up. These were consequential amendments, referring to the election of the President and delegates from the different Provinces to the annual session. Other amendments sought to enable the Presidents of the Provincial Leagues to become members of the Council of the All-India League. Another sought to enable the League members of the Provincial Legislatures to attend the annual session as delegates. The amendments were carried unanimously.

#### RESOLUTION ON FEDERATION

The resolution on Federation was then moved by *Maulana Zafar Ali Khan*. He said that Federation was a monstrous political fraud, imposed upon Indians. But it raised other issues which had not usually been grasped by the people generally. The League was not antagonistic against the Hindus generally but against the Congress High Command. The Federation had really resulted in a battle of wits between Mr. Gandhi and Mr. Jinnah and it remained to be seen who emerged victorious from the contest. Proceeding, Mr. Zafar Ali Khan said that Mr. Gandhi really did not want India to be free and, therefore, veiled the real significance of Federation from his own followers. He was a man behind the scenes who pulled the strings of all Congress activities and kept the masses under a perpetual delusion. Hindus independently would never attain freedom. It was Muslims alone who could free India and the Hindus from foreign domination. But Mr. Gandhi did not want complete independence nor to break away entirely from British relations. Thus an unholy pact had taken place between him and the Government of India commonly known as a Gentleman's Agreement. The Congress High Command had declared ostentatiously that Federation was unacceptable to them but Mr. Gandhi never said explicitly that he did not want Federation.

He wanted it very much indeed. Proceeding, Mr. Zafar Ali Khan accused the Congress High Command of hypocrisy with regard to Federation. While they professed they did not want Federation their real intention was to get a majority in the Federal Legislature. If that was assured to them, they would not object to Federation. The Britishers had come to realise that their Empire was tottering and hence every attempt was being made to protect India from slipping out of their hands. Federation was one such effort. The minorities had already been treated shabbily specially the Muslims so much so that in the Provinces where they were in a minority even the Governor refused to protect their rights and interests. As an instance, he pointed to Orissa and said that the Governor of that Province had refused to listen to the plea of the Muslims for safeguarding their rights. The speaker had intended to move a resolution in the Central Assembly in that connection but it was disallowed by the Governor General. Mr. Zafar Ali Khan concluded that in whatever way Mr. Gandhi and the Congress High Command might treat Federation as embodied in the Government of India Act the Muslims should vest the President of the League with full powers to take the necessary steps to safeguard their interests. They should expect nothing from either Britain or from the Congress.

*Sheikh Abdul Majid* reiterated that Federation was entirely unacceptable to the League as embodied in the Government of India Act. The sitting was adjourned.

#### Fourth Day—Patna—29th. December 1938

The session of the League concluded this afternoon. The resolution on Federation, which was moved yesterday, was adopted.

*Mr. Z. H. Lari* (U. P.), supporting the resolution, said that the Congress wanted a majority in the Federal Legislature and hence the League should vest powers in the President to evolve a suitable substitute for the Federal Scheme after negotiating with the powers that be, or otherwise take the necessary steps to safeguard Muslim interests.

*Khan Bahadur S. M. Ismail* (Bihar) declared that the Federation was unacceptable to the Muslims as the scheme did not safeguard their interests and even in the Provinces where they were in a majority they would be reduced to the position of minority.

*Malik Barkat Ali* (Punjab) declared that no Federal scheme would be acceptable to the Muslims if it allowed the Federal Legislature to thwart the administration of those Provinces where Muslims were in a majority.

*Mr. M. Azgar Imam* (Bihar) urged the Muslims to be prepared for every sacrifice to resist the imposition of the Federation because it would perpetuate the subordination of India to aliens.

#### THE BURMA RIOTS

The next resolution on Burma was taken up. Moving this *Mr. Zahur Ahmad* (U. P.) traced the origin of the riots and narrated the atrocities committed by the Burmans on the Indians, especially the Muslims.

*Mr. Mahmud Hassan* (Hyderabad) attributed the culture and progress of Burma to Indian Muslims but, he said, the Hindu Sabha and Arya Samaj organisations were carrying on propaganda against the Muslims in Burma. The resolution was passed.

#### FRONTIER POLICY CRITICISED

The next resolution of Baluchistan, which was moved by *Khan Bahadur Mustaq Ahmad Gurmair* (Parliamentary Secretary, Punjab), had a quick passage.

Strong criticism of the British policy in the Frontier was made during the consideration of the next resolution, which was moved by *Mr. Zafar Ali Khan* (Punjab), who said that British policy was futile in the Frontier since the tribes against which it was directed had been independent from time immemorial. He asked the Government to change the present policy to one of conciliation.

The resolution was passed after *Mr. Ziauddin Khan* (Frontier) had spoken.

A resolution was moved on behalf of the Chair by the Secretary of the League, which related to the present Provincial League Parliamentary Boards. Another urged Muslims strictly to discard all un-Islamic customs in conducting meetings, while the last one, which was of a technical nature, related to the payment of subscriptions by members.

Winding up the proceedings, *Mr. Jinnah* said that the League had laid down during the present session a fundamental principle of a revolutionary nature,

which was a departure from the past, namely, the decision to adopt direct action, if and when necessary. So long, he said, the League had been wedded only to the policy of constitutional progress. He said that the Patna session was the most successful he had seen ever since 1913 when he joined the League and he paid a tribute to the public of Patna for their orderly manner. In connection with direct action Mr. Jinnah pleaded for patience and asked Muslims to organise the League so that the nine crores of Muslims might come under its banner.

## The Sind Muslim League Conference

Welcome Address—Karachi—8th. October 1938

The Sind Muslim League Conference opened at Karachi on the 8th. October 1938 under the presidency of Mr. *Mahomed Ali Jinnah*, amidst enthusiastic scenes. On the rostrum were seated the Premier of Bengal, the hon. Mr. A. K. Fazlul Huq and All-India Muslim Leaders including Maulana Shankat Ali, Nawabzada Liaquat Ali Khan, Sir Currimbhoy Ibrahim, Nawab Sir Jamalkham Laghari, the Maharaja of Mahmoodabad, Maulana Hamid Badayun, Syed Ghulam Bhik Narang, Khan Fakir Khan and local Muslim leaders, including Haji Sir Abdulla Haroon, Sir Ghulam Hussain Hidayatullah, Sheikh Abdul Majid Mir Bunde Ali Khan, Khan Bahadur Khuhro, Sir Sikandar Hayat Khan, the Punjab Premier and Sir Sultan Ahmed.

*Sir Abdulla Haroon* read the welcome address. In the course of his speech Sir Abdulla recounted the efforts on the part of distinguished Muslim leaders in the course of the last fifteen years to arrive at a settlement with the majority community and pointed out how the solution was as far off now as it ever had been. He severely criticised the attitude of the majority community for not approaching the question with a determination to arrive at an amicable settlement. Sir Abdulla believed that the sole obstacle standing in the way of a permanent solution of the problem was the unwillingness on the part of the majority community to appreciate the true position and face it squarely. As long as the majority community failed to recognise the deep-rooted suspicion of the minorities that their interests were not safe in the hands of the majority, unless they were afforded adequate safeguards and protection there was no prospect of a solution of the problem and if the patience of Muslim India is tried to its utmost capacity it might have no alternative left but to seek their salvation in their own way in an independent federation of Muslim States. Sir Abdulla sounded a note of warning that the recent happenings in Czechoslovakia would repeat themselves in India if the majority community persisted in their unreasonable attitude and stand in the way of Muslims realising their ambition. In this connection, Sir Abdulla urged his coreligionists to establish closest contact among themselves in India as well as with co-religionists in other countries.

Sir Abdulla then referred to the happenings in provinces where the Congress is ruling and said the very culture, religion and the existence of the Muslim community were in jeopardy and they had despaired of getting any justice at the hands of the majority community. We have nearly arrived at the parting of the ways and until and unless this problem is solved to the satisfaction of all it will be impossible for anybody to save India from being divided into Hindu-India and Muslim India both placed under separate federations. The Muslims are wide awake to-day and no effort to dupe or coerce them will bear any fruit. On the contrary those, who have chosen to masquerade under the cloak of nationalism, must know that nationalism which believes in depriving the minorities of its inherent rights, is not going in any way to accelerate the freedom of India. Muslims have left no stone unturned to strengthen the fight for Indian's freedom, although at no time will it be possible for them to agree to any proposition involving a mere change of masters.

Sir Abdulla dwelt at length on the Sind Ministrial tangle and declared that the Congress Party had connived with the Hindu Mahasabha to deprive the Muslims of Sind from having a Ministry enjoying their confidence. He maintained there was no use shutting their eyes to the realities of the situation and ignoring the fundamental factors. He assured the minorities in Sind that if they played their part rightly the Muslim League would afford all facilities for the minorities to have their legitimate rights safeguarded.

### The Presidential Address

Mr. Mahomed Ali Jinnah then delivered his presidential address, which was punctuated with cheers. The following are extracts:—

'Now that your Province is an independent entity the greatest responsibility rests on the shoulders of the Musalmans of Sind for the welfare and the progress of your Province. Not long ago the Musalmans in Sind were divided and torn into groups but to-day I am happy to find that there is a wonderful public spirit, solidarity and unity demonstrated and with proper organisation if you mobilize and harness your powers there is nothing to prevent the Muslim League of your province from assuming the reigns of the Government of your province. It is in your hands now. You must remember that it is your duty and responsibility which calls upon you to conduct the affairs of the Government of Sind. The constitution enacted by the Government of India Act of 1935, although it incorporates many objectionable features, yet you should utilize it with your majority strength successfully for the economic, social, educational and political uplift of the people of Sind and in particular of the Musalmans. I feel confident that mainly the Musalmans of Sind and the right-thinking Hindus will realize that the progress and the welfare of the province lies in maintaining the high principles of justice, fairplay and friendly co-operation amongst the people of Sind'.

Continuing, he said: "The Mussalmans of Sind have another sacred duty to perform and a far graver task in front of them and it is that aspect which I want to impress upon you. In the All-India Muslim struggle against the various forces which are out to destroy and divide the Mussalmans by means of corruption and dishonest propaganda you have to guard yourself against it and stand solid behind the All-India Muslim League which is the only authoritative organisation of the Musalmans of India.

'The struggle that we are carrying on is not merely for loaves and fishes, minister-ships and jobs, nor are we opposed to the economic, social and educational uplift of our countrymen as it is falsely alleged. We want to make every contribution to the uplift of our people particularly Mussalmans. Do not believe when you are told that the policy and programme of the League is reactionary. No honest man who has studied the policy and programme of the League can conscientiously and truthfully say that it is anything but fully national and most progressive. Yet the Muslim League and its leaders are daily misrepresented and vilified. Truth is suppressed and falsehood is broadcast in the Congress press and news agency; of course we having no press. But the greatest misfortune of India is that the High Command of the Congress has adopted a most brutal, oppressive and inimical attitude towards the All-India Muslim League since they secured the majority in the six provinces.

'It is common knowledge that the average Congressman, whether he is a member by conviction or 'convenience', arrogates to himself the role of a ruler of this country and although he does not possess the educational qualifications, training and culture and traditions of the British bureaucrat he behaves and acts towards the Musalmans in a much worse manner than the British did towards Indians. The supreme command may well deplore corruption, untruthfulness and violence and may further deplore the faked register of membership of the Congress by 'convenience'.

Proceeding, he said, I know that Governors and the Governor-General have failed the minorities, specially the Musalmans. But on the other hand we are told that there is a gentlemen's agreement and a secret understanding between the British Government and the Congress in consequence of which assurances were given that such powers will not be exercised, and so it is obvious that the Congress Ministers are getting the longest rope with the result that the foolish policy of the Congress is responsible not only for intense bitterness between the two sister communities but among the various classes and interests. It has resulted in serious clashes and conflicts and ill-will, which are bound to recoil in the long run on the progress and welfare of India. And it seems that Congress is only tumbling into the hands of those who are looking forward to the creation of a serious situation which will break India vertically and horizontally.

Mr. Jinnah said that the Congress high command had no scruples on any standard or principle in their methods and added, 'Their policy is based on arrogance and opportunism and unfortunately they are at the present moment getting the support of a large body of Hindus who have respect for the Congress and they are being fully exploited. Not only that but even Mr. Gandhi who has acquired the spiritual influ-

ence over a large body of the Hindu public and with his halo of Mahatma is used by those who surround him. He often tries to get out of the awkward corners by falling back upon his inner voice or the voice of silence and relies upon the fact that he is not even a four-anna member of the Congress ; and he deplores corruption, untruthfulness and violence and pleads to his utter helplessness for the decisions of Congress High Command.'

Speaking of the situation and position that the Mussalmans had to face, Mr. Jinnah said : 'It is no use relying upon anyone else. We must stand on our own inherent strength and build up our own power and forge sanctions behind our decisions. It is no use our blaming others. It is no use our accusing our opponents only ; it is no use our expecting our enemies to behave differently. If the Mussalmans are going to be defeated in their national goal and aspirations it will only be by the betrayal of the Mussalmans among us as it has happened in the past. For the renegades and traitors I have nothing to say. They can do their worst. But I appeal most fervently to those Mussalmans who honestly feel for their community and its welfare and those who are misled or misguided and indifferent to come on to the platform of the Muslim League and under its flag ; and please close your rank and file and stand solid and united at any and all costs and speak and act with one voice.

'Here I wish to make it clear that I am not fighting the Hindu community as such nor have I any quarrel with the Hindus generally for I have many personal friends amongst them.'

Referring to the tragedy of Palestine that was going on at present and the ruthless repression that was practised against the Arabs because of their struggle for the freedom of their country, he said, 'I need hardly tell you that we had most convincing proofs demonstrated all over India that the heart of every Mussalman is with them in their brave and wonderful struggle that they are carrying on against all odds and in spite of their being "defenceless". According to the resolution of the All-India Muslim League council, August 26 was observed all over India as the Palestine day and from all accounts I can say without exaggeration that thousands and thousands of meetings were held all over India fully and fervently sympathising with those who are fighting for their country's freedom. Mussalmans' heart is wounded and lacerated when they hear the news and the accounts of ruthless and tyrannical oppression and repression of those brave Arabs and I know that the entire Muslim world is watching the doings of Great Britain there.

'During the recent times Great Britain has thrown her friends to the wolves and broken her solemn promises. Only those succeed with the British people who possess force and power and who are in a position to bully them. They have also let down and thrown the Mussalmans of India to the wolves. I am sure that there will be no peace in the Near East unless they give an honest and square deal to the Arabs in Palestine. In India I may draw the attention of His Majesty's Government and the British statesmen who I am sure are not under any delusion that Congress represents the people of India or Indian nation for there are 90 millions of Mussalmans. And I would draw their attention and here also of the Congress high command and ask them to mark, learn and inwardly digest the recent upheaval and its consequent developments which threatened the world war. It was because the Sudeten Germans who were forced under the heel of the majority of Czechoslovakia who oppressed them, suppressed them, maltreated them and showed a brutal and callous disregard for their rights and interests for two decades, hence the inevitable result that the Republic of Czechoslovakia is now broken up and a new map will have to be drawn. Just as the Sudeten Germans were not defenceless and survived the oppression and persecution for two decades so also the Mussalmans are not defenceless and cannot give up their national entity and aspirations in this great continent.

'Here also I may mention the Frontier policy of the Government of India which the sooner it is given up the better and methods of reconciliation are resorted to instead. I will therefore appeal to the British Government to review and revise their policy with regard to Palestine, Waziristan and Mussalmans of India and the Islamic powers generally. It is in the interest of Great Britain to seriously consider the reorientation in the light of the developments that have taken place during the last two decades.' Concluding, he asked the Mussalmans to go forward and organize themselves all over India and 'if the reasons and arguments fail our ultimate resort must depend upon our own inherent strength and power. I do not despair nor need we fear the consequences in this great struggle of life and death which involves the destiny of 90 millions of our people.'

Mr. Jinnah's presidential address was listened to with rapt attention, Mr. Shaikat Ali raising repeated cries of "Narahun Takbir" the gathering taking up the cries. The entire audience with one voice applauded Mr. Jinnah when he pointed to Mr. Fazlul Huq and complimented him over his recent victory in the Ministerial battle, adding that Muslim India was behind him. Referring to Mahatma Gandhi's frontier visit, Mr. Jinnah wondered who was Gandhiji's physician who was so foolish as to advise him to go to the Frontier for rest. The huge gathering signified its approval of Mr. Jinnah's attack on the Congress High Command and his strictures on the policy of the Congress leaders with cries of "League Zindabad." Mr. Jinnah next invited the Premiers of Bengal and the Punjab to address the gathering.

#### Bengal Premier's Address

Mr. *Fazlul Huq* speaking first narrated how in the Provinces where the Congress were ruling the minority interests were not safeguarded but jeopardised, how their religious rights were not safeguarded, their language was Sanskritised and their ranks divided. Those Muslim Ministers, who were included in Congress Ministries, were not real Muslims. They had sold Islam in order to serve their personal ends. Not content with this the Congress was meddling with the Ministries of the Provinces where they were not ruling and they had been from time to time trying to discredit and break their Governments and drive a wedge into their solidarity.

Mr. *Fazlul Huq* added, "You have before you instances in the C. P. and U. P. You have also before you the condition now prevailing in the Frontier Province. We had great hopes when Sind was separated. The Muslims, who formed the majority community, should hold the flag of Islam aloft and lead the rest of India. But we find to-day that the 25 Muslim members of the Sind Assembly are divided. How can all the 35 become Ministers? One will be a Minister while the rest will have their turn in due course. How can you look for your salvation to ten Congressmen in your Assembly?"

"You should close your ranks, sink your differences and rally under the banner of the League. We are all gathered here to solve your difficulty. We have come determined to see a stable Muslim Ministry with the League programme established. Do not run after offices. You may be a Minister in the morning but not in the evening. Your sole object should be to serve the Muslim community. Look at the newly-created Hindu Province of Orissa. They are doing splendidly well. Take a lesson from them. Give up selfish ends. If you do not unite, we shall force you. You have got the best opportunity to form a League Ministry and give a fitting reply to the high-handedness of the Congress as practised in the Central Provinces and other Congress Provinces.

"You would not have been separated from Bombay but for the efforts of the League leaders. It is proper and fitting that you should be the League's torch-bearers. The League is ready to guide you. Your salvation lies under its banner. Prove that you are true sons of Islam. Muslim nations throughout the world are fully organising. Strengthen the hands of the League. Accept its lead and guidance. I look to you, 35 members of the Sind Assembly, to unite within 24 hours and to set a noble example. Let Sind have the credit of having formed the first League Ministry." Mr. Huq said that they were Indians but they were Muslims first and every-thing else afterwards. They also cherished independence and freedom, but they did not want it if it meant submission to the Congress rule. He added that Muslims desired freedom which would enhance Islam's prestige.

The Bengal Premier's speech was punctuated with repeated applause.

#### Punjab Premier's Speech

The hon. *Sir Sikander Hyat Khan* regretted that Muslim India's expectation from Sind and the Frontier where Muslims were the predominating majority were not fulfilled. He was not prepared to concede the claim of nationalism to the Congress. Congress took one form in the Congress Provinces and a different form in the non-Congress Provinces. He cited instances from his experience as the Premier of the Punjab and pointed out that he had been denounced as a rank communalist because he had got through the debt conciliation measure which afforded relief to the extent of Rs. 16 crores to the poor kisans and agriculturists of the Punjab. Both the Hindus and Muslims had benefited by this measure.

Referring to the Congress Opposition to the Recruitment Bill, the Punjab Premier asked why, while denouncing recruitment in the Punjab, the Congress favoured the

establishment of military colleges, rifle clubs and military training schools in their own Provinces. He declared that the Punjab was well known for producing men for the army. They were a martial race. The Punjab would not only defend the Province but would stand as a protector for the whole country and defend the frontier of India in the hour of need in case the British Army were withdrawn.

Sir Sikander Hyat Khan added, "We are not slaves. We know how to handle the weapons of war. Let me assure my Congress friends that in no case will I allow my troops to be sent out to China or any other Islamic country. They will be kept inside India. I would rather be shot down than agree to Indian troops being sent to Palestine. Concluding the Premier exhorted the Muslims in Sind in the name of the Muslims of the Punjab to sink their differences and to rally round the banner of the League for the prestige of Islam in their own Province.

#### Resolutions—Karachi—10th. October 1938

The conference adopted a resolution, recommending to the All-India Muslim League to review and revise the entire question of a suitable constitution for India, which would secure the honourable status due to Muslims and disapproving of the All India Federation embodied in the Government of India Act of 1935.

By another resolution, the Conference appealed to the Muslims of the Frontier to throw out the "Gandhian Ministry" and establish a League Ministry.

The Conference also adopted a resolution on Palestine, urging the cancellation of the Mandate and conferment of full independence on Palestine and warning the British Government that if the present pro-Jewish policy was continued, the Muslims of India would look upon Britain as an enemy of Islam and adopt all measures devised by the Cairo Muslim Conference.

Resolutions urging Muslims to enroll themselves as volunteers in the Muslim national guard, wear Khadi and Swadeshi cloth manufactured by Muslim weavers, observe thrift and economy, encourage Muslim shopkeepers, secure employment for their unemployed brothers, carry on regular propaganda for moral, religious, social, economic and educational uplift, and create a political awakening amongst Muslim masses for speedy achievement of the freedom of Islam and India were adopted.

The speakers, including Khan Fakira Khan, Nawabzada Liakatali Khan, and Nawab Makhdum Mohammad Hussein narrated how Congress Ministers treated Muslim minorities, eulogised the League leaders' services, congratulated Sind Muslims on planting the Muslim League flag on the land of Islam, saying that they had undertaken a tedious journey from all corners of the country to bring to Sind the message of Muslim provinces and urged Sind to hold Islam aloft and rally under the Muslim League. They hoped that a League Ministry will be established in Sind. The speakers sounded a note of warning saying that those going to Wardha should be compelled to join the Muslim League.

#### Bengal Premier's Speech

The Hindus have successfully divided our ranks and our condition to-day is miserable. They broke Sind's first Ministry. We thought that the second Ministry of Sind would serve the cause of Islam, but it happened otherwise, observed the hon. Mr. A. K. Fazlul Huq, Premier of Bengal. Mr. Huq said: I assure you that you have the power to make Governors and Ministries and bring about their downfall. If they do not hear you punish them. If any amongst you desert you, you can compel them to come to the League. We had great hopes in Sind and the Frontier where the Muslims are in an overwhelming majority, but things to-day are different. If you can unite the 35 Muslim members of the Sind Assembly to form a League Ministry, you can give a fitting answer to the treatment meted out to Muslims in the Congress-governed Provinces of C. P. and Orissa. You are in a majority in the Assembly and you must reap the fullest harvest from that majority.

Continuing, the Bengal Premier declared: I warn those Muslims who call themselves nationalists that they must remember that Indian Muslims will fight them. If they do not come to our fold, it will be construed as a challenge to nine crores of Muslims in India. Muslims must remember that, if need be, they should sacrifice their lives for Islam. They cannot run away. If you are not ready to lay down your lives, you are not fit to be Muslims. Mr. Fazlul Huq concluded: If Mahommed Bin Kassim, an eight-year old lad with 18 soldiers could conquer Sind, then surely nine crores of Muslims can conquer the whole of India. The audience signified its

enthusiasm in a wild burst of cheering amidst voices, You order us and we are ready to lay down our lives.

### Ministry Tangle—Karachi—12th. October 1938

The momentous conference between Muslim members of the Sind Assembly and Mr. Jinnah which was expected to put an end to the long chapter of suspense hanging over the fate of the Allabux Ministry, commenced at 11 a. m. at the residence of Sir Abdulla Haroon. Khan Bahadur Allah Bux, Premier, Pir Illahi Bux, Revenue Minister and 25 other members of the Ministerial and opposition parties attended the meeting. It was understood that Mr. Jinnah had put forward a proposal that members should sign League pledges and then negotiate with other Assembly groups which would be willing to work with a reshuffled Ministry accepting League policy and programme on similar line as in the Punjab and Bengal.

Regarding the leadership of the party Khan Bahadur Allah Bux showed to Mr. Jinnah eleven signatures and four telegrams (from absentees) in his support.

Mr. M. A. Jinnah made an announcement tonight at the outset of the provincial Muslim League conference declaring, 'I met the Muslim members of the Sind Legislative Assembly and had nearly 10 hours' discussion with them. As the outcome of it 27 members out of 36 have joined the All-India Muslim League and signed the pledge and accepted its programme and policy. The remaining seven, excluding one Congress member, have not decided what they should do. I cannot tell more as I am issuing a statement to-morrow. I hope that in the interests of Muslim solidarity and welfare these seven members will still realize the wisdom of joining the League and after sleep tonight better sense will prevail to-morrow morning'.

In conclusion, Mr. Jinnah warned, 'I assure you brethren, we will go forward dauntless. Nobody can flinch us from our determination. We will go ahead despite disappointment and machinations of interested parties'.

The conference adopted one resolution condemning the alleged policy of Sind Governor and requesting the Secretary of State for India to make an appointment of another person who would act 'constitutionally and work after the interests of the majority of people'. The resolution further urged the All India Muslim League to take up this question with the authorities in India and England. The resolution was moved by Mr. M. S. Gazdar, M. L. A.

By another resolution the conference expressed that the Muslims had no confidence in the present Ministry which, 'deserved condemnation' for its various acts of omission and commission. The conference also condemned the attitude and the part played by the Sind Congress in the present Ministerial tangle. Condemning the present Ministry as anti-Muslim, Sir Abdulla Haroon M. L. A., (Central) advocated the picketing of the residence of the Ministers and launching a non-co-operation movement against the Ministry to compel them to resign.

It was believed that Khan Bahadur Allah Bux, emboldened by the bright prospects of the Congress high command's peace with him and the consent support of the Congress Assembly party, adopted a stubborn attitude and refused to be dictated to by Mr. Jinnah.

The Premier insisted upon a definite guarantee that he would be left untouched in the office of the Premier and flatly declined to resign and then form a new Ministry in consonance with the wishes and desires of Mr. Jinnah. A disagreement also arose over the signing of the Muslim pledge by Khan Bahadur Allah Bux and his party. Mr. Jinnah was adamant that the future Ministry in Sind would be styled a purely Muslim League Cabinet and all members should necessarily sign the League pledge unconditionally.

### Jinnah's Concluding Speech—13th. October 1938

'I have made clear and am once again making clear to the Congress that so long as there is life in me, I will never allow Muslims to be downtrodden. As long as the Congress has not come before us like an equal partner, there can be no peace with us,' declared Mr. Jinnah addressing the Sind Provincial Muslim League Conference before it concluded at 2 this morning.

Mr. Jinnah said, 'Sudeten land was a state created artificially from Germany, but the people never forgot that their land was not the Sudetanland which was made by foreigners. Hence fresh maps are being drawn up.

The Congress wants Muslims to be treated in the same way as the Sudetans. She wants to work as paramount power. That intoxication has seized the high command. The Congress is fighting for domination over the Muslims. It is rank madness, but that has seized the Congress and it is against that design—that mad ideal—that I have rebelled.'

Mr. Jinnah proceeded : I attach more importance to outside work than inside legislatures. The foundation of solid work is outside legislatures. The making and breaking of ministries is not the issue before us. Provincial Government are toy Governments. They have no power and instead of using they are abusing it. The Government is still in the hands of the Britishers, let us not forget that the Hindus take it for granted that the Congress is doing right. They are under the boel of Wardha. Therefore it is the Muslims who understand the real issue. I have been ringing a fire-alarm since 1936, but my engine does not appear to be efficient. We have yet to organize ourselves. I am confident that within four years there will be no organization more powerful than the Muslims.

#### MR. JINNAH'S CHARGE

In a statement on Sind affairs, Mr. Jinnah refers to the 'universal desire for solidarity' among the Muslims of Sind and to his efforts for forming a Muslim League Cabinet in the province. He mentions that an agreement was reached in this connection and says that 'Premier Allah Bux backed out of the agreement' subsequently. Mr. Jinnah suggests that 'Mr. Allah Bux is in the hands of the Congress party and is marking time to receive the Congress high command's instructions'.

#### PREMIER'S REJOINDER

"It seems that the major issue uniting all Muslim members in the Assembly has for some reasons receded into the background and the idealistic position for the formation of a Muslim League Government is being urged without any regard to its future stability", observed Premier Allah Bux in a lengthy rejoinder to Mr. M. A. Jinnah.

He adds that it is very much to be regretted that during sittings of the Muslim League Conference at Karachi, some speeches were made by responsible Muslim leaders in the presence of Mr. Jinnah holding out various threats of boycott and personal harm to the present Ministers and their supporters and intensifying communal feeling. Should these utterances result in breach of the peace or any undesirable occurrences, continues the Premier, the responsibility will rest very heavily on Mr. Jinnah and other responsible Muslim leaders who took part in the conference. The Sind Premier concludes that in the interests of our country, it is very much to be desired that the two sister communities should live happily together and work for the good of our motherland and any attempt to disturb those peaceful relations by inflammatory speeches cannot be too strongly condemned.

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# The National Liberal Federation

20th. Session—Bombay—30th. December 1938

## The Welcome Address

The 20th session of the National Liberal Federation of India commenced in Sir Cowasjee Jehangir Hall, Bombay on the 30th. December 1938, the hon. Mr. P. N. Sapru presiding. A large number of delegates and visitors were present. Sir Cowasjee Jehangir, chairman, reception committee, welcomed the delegates to Bombay. In the course of his welcome address Sir Cowasji said :—

We last met in this City seven years ago when I had also the privilege of acting in the same capacity. Again it was in this City in 1918, that is, exactly 20 years ago, that our first Conference took place under the Presidentship of one of our most distinguished countrymen, the late Sir Surendra Nath Bannerjee, when the late Sir Dinshaw Wacha was the Chairman of the Reception Committee. The event is now past history but it might be useful to recall the reasons that actuated a large number of our countrymen, amongst whom were several, who may well be called the Founders of the Indian National Congress, to secede from the old political organisation, working for which they had spent the best part of their lives, and to establish a separate political organisation to carry on political work, guided by the same principles as they had maintained and preached for years past. They were convinced that their past political work, governed by those principles, had yielded rich fruit in the shape of the epoch-making pronouncement by His Majesty's Government in 1921. Many of those who took part in our proceedings are, alas, no more with us, but we are thankful to Providence that we still retain the services of men like Sir Chimanlal Setalvad, Srinivasa Sastri, Sir P. S. Shivaswamy Iyer, and C. Y. Chintamani. Looking over the list of the Reception Committee of those days, I notice the names of two of our most distinguished and active politicians of to-day. Mr. Bhulabhai J. Desai and the Hon'ble Mr. A. B. Lathle.

The reasons for the split in the Congress Organisation 20 years ago is well-known to most of you. After the lapse of these years we may well examine the principles we stand for, and the reasons for our existence as a separate entity to-day. Sir Surendra Nath Bannerjee in his address in 1918 laid down that :

"Our creed is co-operation with the Government whenever practicable, and opposition to its policy and measures when the supreme interests of the motherland require it. Our guiding principle is co-operation when we can; criticise when we must. It is not criticise when we can; co-operate when we must. We deprecate opposition for the sake of opposition. Opposition must always produce excitement and unrest, and is justified only by the ample reward of all legitimate opposition, which is the redress of national grievances and the enlargement of popular rights."

It has been asserted by many that strict constitutionalism has characterised the administration of the Congress Provinces and that the Congress has vindicated the Liberal Policy to seek political salvation on constitutional lines. We were convinced, that the only way, by which India could advance towards the goal of her ambition, was for the majority Parties in the Legislature to take office and work the Constitution with only one object in view—Service to the Country. At first the Congress considered the Constitution "unworthy to be offered by England or to be accepted by India." But they ultimately came round to our point of view, with the results we are now well aware of. But after all, is the line of demarcation between the Liberals and the Congress grown so faint in practice as not to justify the separate existence of a distinct political party? I assert that it would be a superficial diagnosis, which reveals in the present constitutionalism of the Congress a disappearance of those fundamental differences which go to the root of our respective political philosophies.

The mere fact that Congress Ministries act on most occasions to-day as Liberal Cabinets would have done, or do what secures the approval of the Liberal Party, is no argument in favour of not enunciating the principles on which the two political parties differ fundamentally. We may be one on numerous problems, but so are

most political parties in the other parts of the world. We may approve of some legislative or administrative measures of the Congress Ministries, whilst disagreeing with others; yet in their concept of India's ultimate political goal and her status in the comity of nations, in their concept of the methods of attaining that goal, and in the concept of evolution of political thought and progress, we, Liberals, continue to differ from the Congress on fundamentals.

Our ultimate political goal is "the attainment by constitutional means of Swaraj, that is to say, responsible self-government and Dominion Status for India at the earliest possible date." The Congress creed is of 'complete independence,' whatever that nebulous phrase may mean but which must imply, among other matters, that India must be left to her own resources to fight against external aggression without hope of reinforcement from Britain or the Empire. Leaving aside sentimental reasons, which may weigh with many for the adherence to this principle, we, Liberals, realise that ever since the Statute of Westminster there is no practical distinction between Dominion Status and complete Independence, and that our creed will entitle us to a measure of protection from foreign aggression which otherwise will not be available to us.

The recent developments in International politics has served to bring home to many of our countrymen, who glibly talk of independence, that the Liberal concept of India's ultimate political goal is fuller, richer, and more practicable than this cry of 'complete independence,' which if ever attained in the near future, might result in unprovoked aggression, as has been the fate of Austria, Czechoslovakia, and probably China. Examine another vital difference between the Congress and our Party. Constitutional though to-day, even to the extent of being indistinguishable from the Liberal Party, Congress has not abandoned its policy of 'direct action.' The Liberals differ from the Congress in their methods of attaining their political goal. During this very month there have been uttered threats by prominent Congressmen to postpone the advent of Federation if need be, by a resort to Civil Disobedience and the Working Committee of the Congress itself is threatening the Princes, that if political progress within the States do not come up to the expectations of the Congress High Command, the Congress would resort to direct action. This is clear evidence to the Liberals that there has been no change either mentally or officially in Congress methods, which were once put into operation to the great detriment of the peace and progress of our Country. This is a fundamental difference on which there can be no compromise and was precisely the issue on which the great schism occurred within the Congress in 1913.

We may have been called cowards and the most uncomplimentary language may again be the order of the day, but we shall continue to warn our countrymen that direct action will not lead us to the goal of our ambitions while suffering, hardship and disorganisation will follow in its wake. I assert that the necessity to abandon these methods, even if temporarily, by Congress is a triumph of Liberal foresight. The Liberals cannot abandon lightheartedly, for securing of a veneer of temporary political unity, a principle for which they have fought these twenty years. The Liberals from conviction believe in ordered progress. They think and feel in terms of evolution. All attempts at a temporary advance by the method of direct action is regarded by them as definitely dangerous to ultimate political progress.

We believe that if the Congress abandoned its present method of constitutional Government, and resorted to Civil Disobedience as threatened by its President, large numbers of thinking people in India, who, while approving of the present constitutional Congress policy, would be most unwilling to subject this Country to a fresh spell of political confusion. Such people will then naturally turn to a political party which has no communal basis and which can afford a common rallying centre for the bulk of political opinion, which does not belong to the 'direct action' school. There are again a large number of politically minded persons who though they do not label themselves as Liberals approve of and follow liberal principles and there are others who although believing in and practising the principle of Swadeshi refuse to bow down to the fetish of Khaddar and be forced to spin five thousand yards of yarn as a franchise for a political party.

It will thus be observed that distinct in its outlook on political thought, distinct in its political goal, distinct in its method of attaining political salvation and charged with distinct purposes, the Liberal Party must continue its separate political career, may be overshadowed at times by the spectacular strides of other political parties, but always capable of fulfilling the tasks expected of it and for which it took birth.

### Federation

The most important question for consideration just now before the Country is the impending Federation. The Liberal Party has never been enamoured of the scheme. It has criticised it and pointed out its defects. We have realised that it is unlike any other—Federation that exists in the World and it may even be called illogical to have a—Federation some of the component parts of which are based on Democracy, whilst the others are based on Autocracy. Moreover the position in India is changing from day to day. Now factors have arisen which require careful consideration and analysis. All parties agree that the unity of India is an essential factor for its happiness, progress and prosperity; that without unity it cannot take proper place in the British Commonwealth of Nations and in the World.

The Congress demands certain changes before they commit themselves to give a helping hand to the Federation. Their main demand at present appears to be with regard to the Indian States. They believe that the introduction of the elective principle in the Indian States is essential. One can understand their point of view. Without this they see no hope of getting a clear majority in the Federal Chambers.

Such a majority can only be obtained firstly, if they win nearly every seat they contest in the—General Constituencies in British India, and secondly, if they succeed in getting a large number of Muslims to stand and win on the Congress ticket in Muslim Constituencies, or thirdly, if they get representatives of Indian States to join the Congress. While they may succeed in winning most of the seats in the General Constituencies in—British India, they are not at all hopeful of direct support from the other two sources. They can therefore never be in an absolute majority. And hence their demand for the elective principle in Indian States, whereby Congress candidates could stand and would most probably succeed in a very large majority of the Constituencies.

On the other hand, the Muslim League has declared in unequivocal terms that it is not prepared to allow any change with regard to the system of representation of the Indian States. No political party that believes in Democracy can possibly oppose the elective principle but still one can understand the Muslim League point of view. If the Indian States return Congress candidates in large numbers as they are likely to do, the weightage given to the Muslim Community in the Central Legislatures would be reduced and would further tend to make the Muslim block a more ineffective minority.

We must face realities. We cannot continue for long with an irresponsible Central Government with the Provinces under Ministries responsible to their Legislatures. We cannot expect the administration of the Indian States to come into line with British Indian Provinces within the next couple of years, specially with regard to their representation in the Central Legislatures. His Majesty's Government have already declared that while they will not oppose, they will not bring any direct or indirect pressure upon the States to make such radical changes as will meet with the approval of the Congress. On the other hand the Muslim League would strongly oppose if His Majesty's Government suggested any other method of treatment. Therefore as matters stand at present it appears that the only chance of forming a Government under the Federation, which can hope to command a majority, is by a coalition between the Congress, the Muslim League, and other Groups.

There are some other objections to the Federation which have been pointed out on numerous occasions by all parties. Several of them also apply to the Constitution under which the Provinces are administered to-day. Experience has shown, as was pointed out by many Liberals, that although the objections seem formidable on paper they would not be so in practise. It was pointed out that if any of the safeguards were used by the Governors in an unreasonable and provocative manner the Ministries always had the remedy of resignation with few chances of the Governor being able to form another Ministry. In practise this has turned out to be correct for there has not been any such interference. The same applies though perhaps in a lesser degree to the Centre. I do not think it is possible to demand that the administration of the defence of the Country should be handed over immediately to the Federal Government, but there is no reason why the Federal Government through its Finance Minister should not exercise considerable influence on the policy and administration of the Department. Conventions will rapidly grow up, whereby the Defence Department will be forced to take the Federal Government more and more into their confidence. In the same way there is no reason to believe that the

influence of the Federal Government will not be felt on the administration of the Railways, and the same will apply to the exchange policy of Government. At the same time it must never be forgotten that if the Federal Government has behind it a substantial majority in the Legislatures, it will be very difficult for any Governor-General to oppose the Government on any fundamental issue. The Government can always resign, and if the issue on which they resign appeals to the Legislature and to the Country at large, the Viceroy will find himself confronted with a very embarrassing situation which he will make every effort to avoid. After the experience that has been gained in the Provinces I do not think any political party would be justified in refusing to work the Constitution. It shortly therefore boils down to this, that either the Indian States agree to the introduction of the elective principle which they are not likely to do, or there must be a Coalition Government.

I am perfectly aware of the views of the extreme Left Wing in the Indian political life. They do not desire that any constitution should work. They would object even to complete independence if they felt that the Indian Government would be run on democratic lines and that Marxist principles would be unacceptable. But I am sure that the large majority realise the advantage to our Country of taking possession of the Central Government and working it in the best interests of the Motherland. The Congress however has taken up the position that it is the only political party in India that counts. They contend that theirs is the only school of thought throughout India and that they have a monopoly of patriotism and political wisdom. They profess to speak for all classes and all creeds and that all Hindus, all Muslims, all Depressed classes, and all other minorities rolled into one compose the Congress. In this we are certain they are mistaken. The very fact that they cannot capture a majority of the Muslim seats even in British India is clear evidence that the claim of the Congress to be the sole representative of Indian people is untenable. They must win over the minorities by such concessions as are demanded of them and they must be prepared to work with other political parties for the common good of the Motherland.

#### THE CULT OF COMMUNISM

I am now compelled to touch upon an aspect of political life in India which is causing anxiety to a large number of our countrymen holding high positions in all political parties. The School of thought, which condemns "Imperialism" and misinterprets its meaning as domination of one country over another, does so because it objects to any form of Government constituted under the present Social Order.

During the past twelve months there has been an increase in the Communist activities throughout the country. Encouraged by the removal of the ban on various Left Wing Organisations by the Congress Governments, Communist propaganda has increased by leaps and bounds. The usual demand for the dictatorship of the proletariat after the Soviet model is frequently heard. Everyone is aware that in Russia the Communist theories were put into practice 21 years ago. Communism has had its course for full twenty years and more. With what results? The answer to this is given by Eugene Lyons, United Press Correspondent in Moscow for six years, in his book "Assignment in Utopia", recently published. He had gone to the U.S.S.R. in search of equality, freedom and justice. He left with "the sense of leaving behind me a nation trapped. Trapped physically, with blood hounds and machine guns and death sentences guarding the frontiers to prevent people escaping."

The main principle that is followed in Russia to-day is 'from each according to his ability, to each according to his work.' When Communism started in Russia the slogan was "from each according to his ability, to each according to his need." This is the slogan that is being raised in India to-day, notwithstanding the fact that Russia has given a go-by to this principle.

In Russia there is as much disparity in the wages of the workers as in any capitalist country. The Communist Bosses receive salaries 40 or 50 times that of the ordinary worker. Among the workers themselves each industry has got its own categories, about 8 in number, with a marked difference in the wages for the different categories. There is very little difference between Communism as it obtains in Russia to-day and Capitalism. The death-knell of Communism in Russia is not confined to wages alone.

Instead of building up a classless society as was claimed by the high-priests of Communism, Russia has built up a society with new classes more in number than existed before. According to reports of visitors to Russia published in books or in

the European press there are at least six different classes, each separated from the other by clear lines of demarcation.

The right of inheritance has been restored. People are encouraged to invest money in State Loans or deposit in Savings Banks. Private incomes derived from work and savings are specifically protected by the New Constitution.

There has been a serious break-down in every branch of Industry, and planned production exists on paper alone. The worker is ill-fed and ill-clothed, lives in a miserable room with at least six others and drags on a miserable existence without grumbling loudly, lest he should be sent to Siberia or shot forthwith. Sabotage and silent destruction of the machinery are the only courses left open to him to register his protest. The only satisfaction or compensation for all his sufferings the worker gets is to be called 'Comrade' by his Bosses. The dissatisfaction against the regime has spread so widely that since May 1937 the Russian execution squad is kept busy. Since May 1937 the Soviet Government have executed 1,200 people. Since the same date 30 of the 68 candidates for the Central Committee of the Communist Party, 9 out of the 13 Commissaries of the Russian Federal Republics, the Prime Ministers of the 9 of the 11 Republics, the heads of 12 Industrial Trusts, 4 Trade Unions, and 4 newspapers, 8 of the general staff of the Red Army, and 1200 Communist Party members have been either shot or sent to Concentration Camps. It is indeed a matter for thought that with the growth of Communism in Russia the number of prisoners in the slave camps also show a rapid increase. The strength of the Concentration Camps which in 1927 was 1,40,000 rose to 70 lacs in 1937. Among these seventy lacs were one million women. And this is happening in the land which is a model of liberty which the Communists would have us copy. We are told that such sacrifice is inevitable especially when the change over from one system to another has to be made and that all these are events of the past and that with the inauguration of the New Constitution in Russia the people there enjoy such freedom and liberty as could not be found in the most democratic form of Government.

True it is that the Constitution exists on paper. But in actual working Stalin's will is the Constitution. Freedom of speech and freedom of the press do find a place in the Constitution. But if one talks or writes anything against the regime he will be charged as a traitor and shot. The New Constitution guarantees employment to every worker in the State. This is being made much of by the Indian Communists. No doubt, unemployment has been abolished by a Decree. But the worker is deprived of all elementary freedom relating to his occupation. What is in force in Russia is industrial conscription. The worker has to accept the job that is provided for him in such place, at such wage, and under such condition as determined by the bosses. He can either accept the job or starve to death. He cannot choose the place of his occupation, or cannot bargain with his employer for better conditions and higher wages. Since the State is the employer and since the State is always right the worker has to accept what is offered to him.

M. Kleber Legay, a prominent French Socialist, Secretary of the French National Federation of Miners, after a visit to Russia last year stated :

"It is absolutely untrue that the lot of the Russian miners is to be envied by those in our countries. The Russian miners, all things considered, are more than fifty years behind our own. I willingly acknowledge the difficulties which face the leaders of the Russian revolution and those which still exist to-day. But I cannot understand why and with what object people have so grossly deceived us about conditions of life and work in Russia."

Do the majority in the Congress desire this state of affairs in India? If they do not, they must take strong measures to see that the uneducated and poverty-stricken masses of our country are not misled by self-seeking individuals, who seeing no prospects of climbing the political ladder, take to causing, whatever may be the Government in power, as much harassment, obstruction and worry as is possible. This propaganda constitutes one of the greatest dangers to our progress both socially, financially and industrially. We realise that our tradition, culture, and our great faith in religion may make it difficult for such propaganda to succeed, but that is no reason why severe and immediate steps should not be taken against a School of Thought, which desires to upset the whole Social Order of our Country.

#### The Presidential Address

In the course of his presidential address. Mr. P. N. Saprú said :—

We are living in one of the most perilous periods in the history of mankind. The war which was to end wars has left bitter memories behind and to-day men and women live in fear of impending war, the consequence of which on civilization, as we have known it, no one can foresee. The great nations of the world are drifting into disastrous conflict with one another and science which has enabled us to conquer the physical forces of nature to an amazing degree, threaten to become a demon of destruction. There is no doubt that since 1931 there has been an incredible deterioration in international relations, in respect for international law, morality and the sanctity of human life. We live in an atmosphere of war, though we pay lip homage to peace. The League of Nations which, if it had been effective, would have symbolized a great revolution in history, finds itself powerless to prevent the success of an aggressor in war or promote peaceful settlement of international disputes. On all critical occasions its existence is ignored and the so-called 'rejuvenated' nations with assertive nationalisms which seek to dominate the world, have discovered that, if heavily armed, they can coerce, by show of force, the powers who had come out victorious in the last war, who had imposed on the world a peace which all thoughtful men could foresee was certain to lead to future complications and who seem to have lost, in a world of conflicting ideologies, the mind and the will to stand for clean and just methods of settling international disputes. The fact is that these nations who have accepted the Nazi and Fascist ideologies are thinking entirely in terms of an exclusive nationalism indistinguishable from racialism in its worst form, new territories and new markets for their goods. The selfish possessive instinct continues. Morality, as the Christian world has known it, has no place in their scheme of life, Christians as they are. They glorify the nation-state, deify it, and subordinate the individual entirely to it. They go on piling up armaments, they increase the barriers to trade among nations, they covet the powers that have command over the larger part of the world's raw materials, they dream of reviving the glories of old Rome or the holy Roman Empire and they have discovered that foreign relations with people who possess the good things of life, who are the guarantors of the adjustments made by the Treaty of Versailles, can be conducted, in the picturesque language of Mr. Eden, on the basis of 'stand and deliver'.

I cannot help feeling that a great part of the responsibility for the present world situation rests with Britain and France who have followed policies, which have weakened definitely the forces of liberal and social democracy and strengthened those of fascist reaction. The situation in which the British and the French Governments found themselves at Munich was largely of their own creation. They were reluctant to make to a democratic Germany concessions of which we hear so much. They allowed Japan to defy the League and conquer a part of China in 1931. They were prepared to see Germany occupy the Rhineland by force without any effective action on their part. They would not agree to parity of armaments with Germany at the Disarmaments Conference and the Conference naturally failed. They were not prepared to take effective steps including oil sanctions to prevent Mussolini from swallowing up Abyssinia. They denied belligerent rights to the legitimate Government of Spain and would not even strictly enforce the so called policy of non-intervention. They stood by and saw Germany intervene and annex Austria by methods which could not be regarded as just. And finally, when at the behest of the German Dictator, Houlein and Kundt had promoted civil strife in Czechoslovakia and the German Dictator threatened a world conflagration, France and England were not prepared to stand for the principle of settlement of international disputes by peaceful methods and allowed Czechoslovakia whose territory Franco had undertaken to respect and preserve under the Franco-Soviet Pact and England under the Covenant of the League of Nations, to be dismembered at his command. They were, and continue to be, quiet spectators of Japanese aggression in China.

If this is the situation in Europe and the Far East, that in the middle East is not less unsatisfactory. Britain has now discovered that she has given mutually contradictory pledges to Jews and the Arab populations in Palestine. The Arab population continues to be stirred up by Italian and German propaganda and is not unreasonably apprehensive of its future in a land which, whatever the past history might be, the Arabs quite justly claim as theirs. The world was on the brink of war in September last and while we are thankful that, thanks to the spirit of sacrifice shown by a brave small country and its then respected head, that truly great man, Dr. Benes, war was averted, we cannot share the optimism of those eulogists of Mr. Neville Chamberlain who

think that the Munich Pact is the harbinger of lasting or permanent peace. We cannot overlook the fact that the Pact has dismembered the one country which had made a success of democracy in Europe, made Germany the virtual master of eastern Europe, enormously increased her prestige and military strength, broken up for all practical purposes the popular front in France and the system of alliances which France had built for herself, weakened the forces of Liberal and social democracy all the world over, strengthened the Rome-Berlin-Tokio axis and dealt a death blow to the League of Nations which was the one solid achievement of the statesmen responsible for the Peace of Versailles. It is difficult for us to believe that the German and Italian dictators will be content with what they have achieved. Indeed there are ominous signs that they are not. It is permissible to hold that if Britain and France had been loyal to the League, had stood by the principle of collective security and gathered round them the smaller States of Europe who were prepared to follow their lead, and had collaborated with Russia, who, whatever her other faults might be, has been loyal to the League and the international ideals it stands for, the world would not have witnessed the disheartening spectacle of the betrayal of a small country whose only fault was that she was loyal to her obligations to them and was not prepared to accept in her internal arrangements the totalitarian conceptions for which Nazism and Fascism stands.

The broad fact that stares us in the face is that France and Britain yielded to force, when they were not prepared to concede to argument. 'That is the really fatal precedent', as rightly pointed out by Viscount Cecil, established by this transaction.' Whatever subtle differences there may be between the Godesburg plan and the Munich Pact, there can be no denying the fact that democracy and the processes and the purposes for which democracy stands have received a blow from which it will take time for it to recover. Even the apologists of the Munich Pact and Government spokesmen like Earl de la Warr recognise now that it has not improved the European situation to the extent it was expected to. Consider the situation for a moment. In spite of the no-war pact England and France find it necessary to rearm with even greater determination that they have been doing so far. The Anglo-Italian pact notwithstanding, Italian volunteers continue to fight for Franco's Spain and the Italian Government connives at anti-British propaganda among the Arabs. The German press, forgetting obligations under the Munich Pact to Britain and France, blesses the manufactured propaganda for the return of Tunis and Corsica by France, propaganda which is not calculated to smooth relations between France and Italy. The question of the return of the colonies remains unsettled. Germany is certain to press for their return and they cannot be returned easily by mandatory powers, to a totalitarian state without the consent of the population of those territories. Britain has lost a great part of her trade with Eastern Europe and both Britain and the United States find themselves in danger of losing their South American trade to Germany. Eastern European powers continue to come more and more under the sway of the German dictator. Franco's victory in Spain is almost certain and who will deny that it will give Britain an insecure base in Gibraltar? The Jews in Germany and Italy continue to be persecuted with even greater ruthlessness than before and that persecution is creating difficult problems for the democratic States. With Japan fighting in China and Russia excluded, disarmament is not possible and Germany and Italy are not likely to agree to a reduction of armaments now or in the immediate future. The situation in Memel is becoming grave and it remains to be seen what the effect of Mr. Chamberlain's declaration of British policy in case of hostilities between Italy and France will be upon Franco-British relations. Japan's victory in China and her nearness to the Indian border have created new problems for Britain and necessitated a reorientation of the defence policy. Can anyone who impartially reviews the international situation deny that we find ourselves after the Munich Pact, faced with a situation in which the menace to peace and democratic civilization is greater and not less than before? I have been driven to make these observations as I would like the country squarely to face the dangers which the new ideologies have created for us. For it is no longer possible for us to lead an isolated existence. India is realizing that she is part of a larger world.

It is therefore a matter for genuine regret that the suggestion of Mr. Attlee and his colleagues that external affairs should be transferred to the control of the legislature was not accepted by the framers of the new Government of

India Act. The present position in regard to external affairs is that, though we are original members of the League of Nations, we cannot even discuss or offer criticisms in the legislature on foreign policy. Surely this is something which is indefensible. Of what use is membership of the League to India if her sons and her government cannot express themselves, in a constitutional manner, on the vital questions of life and death for nations, nations in whom a large section of our population is interested in the middle East?

Viewing the world situation in its proper setting bearing in mind what these new imperialisms are and mean for the weaker races of mankind, I think we were wise in fixing as our objective Dominion Status as defined in the Statute of Westminster. No one disputes that a country has a right to aspire to be independent. It is equally true that the British Commonwealth is not an achievement of the Indian race and that the Indian people cannot take pride in it as Britishers and those who are of British stock can. But Dominion Status which is a dynamic conception is hardly distinguishable for any practical purpose from virtual independence. It is a free association of free peoples in no way subordinate to one another. In a world full of menace to the democratic States, we have in the British Commonwealth of Nations, an organization which can provide the basis for a system of collective security. And surely democratic states must pull together. In a world full of menace to the Asiatic and African races, it would give to India a sense of security which an entirely independent existence cannot.

But if forgetting the dark chapters in our relationship it is wise for us to accept it loyally and unreservedly as our objective, it is equally the duty of those who control British policy to endow India as speedily as possible with Dominion Status, for Indian thought is running in channels which threaten to make an Indo-British Commonwealth an unacceptable ideal.

The lesson drawn from the recent happenings in Europe by a prominent Congress leader was that India must seek her salvation outside the commonwealth as she is entirely opposed to the foreign policy of Britain which is pro-fascist. Emphatically I am no supporter of Mr. Chamberlain's foreign policy. I have subjected it to such rapid criticism as I could in this address and I dislike fascism as intensely as any living man. But the present British Government is not eternal. No Government is eternal. Indeed important sections of British opinion are opposed to its foreign policy. To base on this ground one's objection to the objective that we have set before ourselves is to misread the nature of the British constitution and misunderstand the character of Dominion Status which gives to the Dominions the right to determine for themselves the extent, if any, to which they will participate in any war in which England might find itself involved. We have no reason to apologize for the objective that we have set before ourselves.

We are as determined as any other political party in the country that our country shall be free, but we feel that this full freedom which we seek is reconcilable with loyalty to the objective of an Indo-British Commonwealth of Nations to which we may have something distinctive of our own to contribute when we have reached our political maturity.

I strongly hold that the problem of Indian defence requires to be viewed in its international setting. The interests of India, England and the democratic world require that India should be made as speedily as possible self-sufficient in the matter of defence. The fundamental difficulty that we have to face is that the Government have done all that they could in the past to make the average Indian believe that the defence forces exist not only for the purpose of defending India from external aggression and internal disorder but for maintaining and perpetuating an alien government responsible to the people of another country. No strengthening of the Criminal Law Amendment Act can or will change this feeling. What is needed is a change in the British outlook on problem of Indian defence. What is wanted is action which would change the attitude of the Indian people towards defence and convince them that it is their most vital concern.

The working out of this principle requires that it should be made clear beyond any possibility of doubt that it is not intended to treat India differently from the Dominions in the matter of defence and that defence shall at no distant date be her responsibility in the same way and to the same degree as it is that of the Dominions. It is regrettable that the new Government of India Act does not provide for the automatic transfer of control of Defence to the Indian people within a

defined period specified in the Statute itself. The formula 'increasing concern of the Indian people and not the British people alone' is vague, indefinite and unsatisfactory. If it means that the final development in regard to defence will be some sort of a dyarchic arrangement whereby both Britain and India will share control over it, with India as junior partner, then we owe it to ourselves to state in the plainest terms possible that we can never reconcile ourselves to it. We can never accept a position in regard to defence control lower than that of the Dominions. We are not and have never been opposed to a period of mutual adjustment and indeed the proposals which were made at the Round Table Conferences by Liberals and other progressive Indian politicians proceeded on this basis.

In its constitutional aspects the problem requires not only a clear enunciation of the objective but also during the period of transition, some visible steps which would increase the influence of the legislature over it, which would make the executive responsive, if not technically responsible, to opinion voiced in the legislature. It is, therefore, necessary to insist that in any reconstituted central or federal government the member or councillor in charge of the army shall be an Indian drawn preferably from the legislature. It is further necessary to insist upon a standing committee of the legislature preponderantly non-official in character, the function of which should be to advise the authorities on defence policy, defence expenditure and employment of Indian troops abroad, if and when necessary. The decisions on the committee should in my judgment be treated as binding upon the question of the employment of Indian troops abroad. Our position in this respect should be neither higher nor lower than that of the Dominions. The policy regarding Indianization should during the period of transition be under the control of the Indian Legislature. I would also urge that we should press that the army budget should be settled on a contract basis for fixed periods after a thorough enquiry on which the legislature should be directly represented through elected representatives. This agreed sum should be open to discussion but not subject to the vote of the legislature. Any excess over the agreed amount should be subject to the vote of the legislature. Till such time as full responsibilities has been achieved, it will, perhaps from a constitutional point of view, be necessary to give to the Governor-General power to incur fresh expenditure in excess of the amount contracted for in cases of emergency, the legislature subsequently having the right to discuss but not vote this amount. It may be said that some of these proposals would involve a change in the Government of India Act but we have never agreed to that Act and we cannot accept the validity of the argument.

Only the other day we were told by Earl Baldwin that the rearmanent programme necessitates that Government should mobilize industry. Success in war in the modern world depends upon a comprehensive military organization which utilizes to the fullest extent possible the man-power and the industrial and agricultural resources of a country. Here unfortunately owing to the mutiny complex from which our military experts suffer, the problem has never been viewed in this perspective. Recruitment to the standing army is confined to certain classes and creeds. Apart from the fact that the present policy has created a virtual monopoly in favour of one particular province and has perpetuated the present cast distinctions, it is open to the grave objections that it is unjust to the other province which contribute equally with the Punjab to the federal revenue and which also have glorious military traditions, as any students of Indian history and even Anglo-Indian history will be able to testify. It is urged in defence of the present policy that the standing army is not large in numbers and that consequently the military authorities find convenient to recruit it from classes which have a particular aptitude for a military career. No one denied that having regard to the size of the country, the standing army is not to be large. But it is conveniently forgotten by the apologists and upholders of the present arrangement that a substantial part of this army consists of British troops which can and ought to be reduced consistently with the safety of the country, substantially. Even Government, by transferring three British battalions from India to Palestine, have admitted that there is at least a partial truth in our criticism. Our view is and has all along been that a substantial reduction leading eventually to the elimination of British troops is possible in the country, that this reduction would lessen the cost of the army and that if British troops are so reduced, provinces and classes that get no chance of recruitment in the army would get in the future.

It is the height of unwisdom to make the democracies of future dependent for their safety and the integrity of their country—in which all of us have an equal

interest upon a professional army drawn largely from particular areas and classes. Experience has shown that the Indian officers recruited from the so-called non-martial races have proved to be as highly efficient as the officers drawn from the martial races and the British officers. Why cannot, then, the men from the areas and classes which are not adequately represented, be expected to give as good an account of themselves? It is all a question of opportunity, training, creation of right environment. Surely, it is not right to emasculate entire populations. Surely it is not righteous to deny to those who wish to serve their country as soldiers the opportunity to do so. Surely the men who come from the other provinces have a greater interest in the fortunes of this land than men drawn from the independent kingdom of Nepal. Connected with this question is that of a proper army reserve available in time of national emergency. In building up her reserve, England has not resorted to compulsion and it will be agreed generally that, apart from any objection that we may have to it on principle, and I confess I am opposed to it in principle, compulsion in military service is not a practicable proposition. The Indian army has a strength of 1,55,000. The reserve is only about 35,000 only. In England, according to the figures available for 1937, the total number of regular troops was 2,10,000 and the strength of the army reserve amounted to 1,33,000. Modern countries have discovered that an efficient army system requires that men should, after receiving proper training in the regular army, be absorbed in the reserve available for emergencies. You will agree with me that the reserve should be strengthened. Not only have we have hardly any territorial army worth mentioning, but very little effort has been made in the past to develop it, and there are not adequate opportunities for military training for our young men.

With a more careful husbanding of our resources, with greater Indianization and the reduction of British troops and a more reasonable contribution by Britain towards our defence than she is making at present, it should have been possible for us to attach some importance to our air and naval forces. As it is, a very large portion of our revenue is absorbed in maintaining the land forces and our Defence department has paid so far very little attention to strengthening the Indian air and naval forces. The case for speedy Indianization of the officer ranks has been stated over and over again by us in our resolution and the resolutions of other public bodies and the legislature. I would not like to tire you by repeating those arguments here. At the present rate it will take centuries for the Indian army to be Indianized. The rate of recruitment to the Royal Indian Navy too is grossly inadequate. A committee will shortly be sitting to consider the question of Indianization. I hope that the composition of this committee will be such as to give public satisfaction. It should be preponderantly non-official in character. I may also express the hope that its recommendations, if they should turn out to be progressive, will not meet with the same fate as those of the Committee. What we are entitled to insist upon is a scheme which will Indianize within a reasonable short period, the officer ranks of the army. Mere tinkering with the problem will satisfy no one. Into the question raised by certain announcements made for increasing the pay and other conditions of service to the British army in India, I do not propose to enter. I am sure you thoroughly disapprove of the policy which impose, without any consideration for the Indian tax-payer, fresh burdens on India. We have a committee at present going into the question of army reorganization and the financial contribution that Britain ought to make towards India. It is to be deeply regretted that Indians have been excluded from serving on that committee. I am sure that you will agree, therefore, with the view that was expressed by Sir Chimanlal Setalvad that Indian self-respect requires that Indians invited to appear before the Chatfield Committee should decline to do so.

I shall now pass on to the constitutional issue. When Lord Irwin declared that Dominion Status was implicit in the preamble of the Government of India Act of 1919 and that a conference would be held at which an effort would be made to arrive at precise agreements with Indian representatives, and that the Indian States would also be represented at this conference, we welcomed the announcement as a definite commitment on the part of Britain to Dominion Status for India and the conference method in which we believed as a necessary sequel to an exclusive British commission. But as years went on, we found that the differences between us and the British statesmen in power were vital and when the report of the Joint Select Committee was published, we found that our dearest wishes had been ignored and that we were being given a constitution which had many retrograde features and

which we felt would retard India's progress towards full responsibility and nationhood. We felt that the price which we were asked to pay for greater freedom in the provinces was not worth paying and we had, Liberals as we were, no opinion but to take the line that the constitution was utterly unacceptable and that indeed we were better without it. It was not that we were opposed to federation. There is a mystic unity underlying India and for our part we have always believed—and believed earnestly—that a federation which would unify India is the only right objective for us. Realists as we were, we are not opposed to a defined period of transition and we were even agreeable to reasonable safeguard demonstrably in the interest of India. But a careful study of the constitution as it was proposed by the Joint Select Committee convinced us that it was likely to create blocks in the way of our further progress, and that in recommending it, the committee had not only ignored the memorandum submitted by the Indian delegation, the excellent draft report of Mr. Attlee and his colleagues but also the Prime Minister's declaration at the first conference that the reserve powers shall be so framed as not to prejudice the advance of India to full responsibility. What determined our attitude was the implication of some of the more serious features of the scheme, such for example as (a) the provision that relations of Indian States outside the federal sphere should continue for ever to be with his Majesty's Government (b) the virtual veto which the scheme gave to rulers of Indian States over constitutional development. (c) the heavy weightage given to the States in representation in the federal legislature (d) the commercial discrimination clauses which have been so framed as to make it virtually impossible for the Indian Government to give subsidies or bounties to Indian industries and which are calculated to create now vested interests round them (e) indirect election to the Federal Assembly which is calculated to split up British India representation and prevent national issues coming up before a national electorate (f) almost co-equal financial powers of the two Houses and the provisions for immediate joint sessions to settle disputes (g) the provisions in regard to the relative strength and power of the two Houses (h) the communal award which is calculated to make a nationalist solution at some future date more difficult, (i) the financial safeguards and the reservation of monetary policy in the hands of the Governor-General (j) the provisions in regard to the Federal Railway Authority which would take the railways virtually out of the control of the Federal Government, (k) the provision that Indian States' representatives will be appointed by rulers of States and the voice given to them in matters of purely British India concern, (l) the absence of any provision in the Act for further constitutional development, (m) finally and most important of all the absence of any machinery in the Act for the automatic achievement of Dominion Status within the meaning of the Statute of Westminster. These, we felt, were features which would place obstacles to progress on democratic and nationalist lines.

You will thus see that our objection was to certain vital features of the scheme taken as a whole and not to any particular part of it only. The Government of India Act is an accomplished fact and we gladly admit that it has been working in the provinces better than we apprehended. The blocks against which we fought have been created and the only important provisions of the Act which remain to come into operation are those relating to the Federal Executive and the Federal Legislature. Whatever our dissatisfaction with the constitution—and I have not concealed my utter dislike of it—the position at the centre today is intolerable. An irremovable executive has to take its orders from the Secretary of State and regulate its relations with an elected legislature. Often we find that Indian interests have to go to the wall. With democratic governments in the provinces, friction between the executive and the legislature is likely if the central constitution is allowed to remain as it is, to grow more and not less. The central constitution cannot and must not be allowed to remain as it is. We feel that the rulers of the Indian States have it within their power to make a contribution to the solution of the problem of a central government by agreeing to send only elected representatives to the legislature. Such action on their part would be deeply appreciated in India, give them immunity from attacks which no Princes Protection Act can give for party affiliations in the legislature, protect them from being dragged into the vortex of British India controversies and British India party politics, free them as nothing else can in the federal sphere at all events, from interference by the Political department, strengthen their hold over their own subjects and make a real party system of the centre possible. That even in the conditions in which they find themselves, some of their men should on certain occasions have sided with British India representatives

in cheering and heartening for those who realize that a great many of the questions with which we have to deal at the centre are of an Indo-British character. We cannot forget that the late Sir Sultan Ahmed Khan was a signatory of the minority report of the Hunter Committee, that General Rajwade threw his weight on the side of progress in the Chetwode Committee and was a co-signatory of the minute associated with the honoured name of Sir Sivaswamy Aiyer, and that his Highness the Maharaja of Bikaner was critical of the monetary policy of the Indian Government at the Round Table Conference. But a nominated block is inherently incompatible with responsible government and the question has perforce to be looked at from the point of view of principle.

No one knows whether federation will materialize and when. No party seems to want it in its present form. As a party we are averse to indulging in 'breats but we have repeatedly made it clear that we stand for agreed solutions and not imposed ones. We do not believe in imposed solutions. They do not work or work only orearily. They do not settle questions, they merely accentuate them. We have pointed out the directions in which the scheme of federation must be revised in the numerous resolutions that we have passed on it. The more important modifications essential for its successful working have been set forth in the memoranda of the Indian delegation to the Round Table Conference and the draft report of Mr. Attlee and his colleagues. We have pressed for those modifications before and we shall go on pressing for them in future. We have no faith in the method of a constituent assembly. A real constituent assembly, as the experience of history teaches us, can come only as the result of a successful revolution. We do not stand for revolution. We stand for democratic process, for ordered progress, if you prefer this phrase. We do not profess to know what the advocates of a constituent assembly have in mind. But if what they meant by a constituent assembly is nothing more than a convention or conventions such as those which settled the constitution of Australia, we are prepared to say that that is an aspiration which we share with them. But we dare not blind ourselves to the present communal situation, and with dissensions in our ranks and our experience of the Round Table Conference, we cannot put it forward as an immediately practicable proposition.

We do not know what the ultimate decision in regard to federation will be. Mr. Bose has been saying that if it is imposed, the Congress will resort to mass civil disobedience. That way lies disaster. We owe it to ourselves and to the country which we love as dearly as Mr. Bose, to utter a warning, in the present tense communal atmosphere, against the dangers of such a course.

Fortunately, the wiser heads of the Congress have been keeping discreetly silent. It would, in my humble judgment, be a grievous blunder on the part of democratic provinces to give up in pursuit of a weapon which experience has demonstrated to be a double-edged one, the position of advantage they enjoy at present, the opportunity they possess, within their limited resources, to do constructive work for social and economic uplift and establish correct conventions of responsible government and traditions of democracy. It would be serious mistake too to abandon the lever they possess, to control the tendencies of a centre which, it is apprehended, will be unduly conservative. That is not the way to combat the new constitutions. Politics is the art of method and results.

Wise statesmanship consists in sizing up situations and devising effective weapons to meet them. Not by refusing to handle the machinery set up at the centre but by utilizing it in an independent, courageous and constructive manner for the removal of those obstacles which the Act has, unfortunately, placed in our way, shall we be able to build up a mighty force which even this extraordinarily rigid constitution will not be able to resist. There is no inconsistency in condemning the framework of the Act and then bending it for the promotion of these ends we believe in. We should despair of the future if we did not believe in the capacity of Indian (including Indian States) and British statesmanship to profit by experience gained of the Government of India Act in operation. Let us, therefore, take care to see that in an attempt at wrecking the federation, we do not wreck ourselves.

I shall with your permission now offer a few observations on the question of the Indian states and the democratization and modernization of their administrations. The developments in British India, the possibility of Federation materializing, and the time-spirit have had their inevitable reactions on the Indian states, and the subjects of the Indian states naturally desire that they should have the institutions which we enjoy and which we wish to see developed and expanded. As Liberals who believe

in the democratic principle and the British system of jurisprudence it is impossible for us to withhold our sympathy with what is reasonable and legitimate in their demands. We cannot stand for one system in British India and quite another in Indian states. That is quite impossible. It is to be deeply regretted that progress in the two Indias has been unequal. It is a fact which we may and do deeply deplore, but cannot ignore. We are, for our part, quite prepared to recognize that the states are in varying stages of political and educational development, and that what is possible in British India may not perhaps in its entirety be immediately possible in all the Indian states. But neither British nor Indian opinion can be expected to uphold systems of government which are too unto-diluvian for the requirements of the times.

We have no desire to dictate to their Highnesses, but as patriotic men who are (we would ask them to believe) not unfriendly to them, we deem it our duty to say that it is imperative in the mutual interests of both the Indias and the smooth working of federation, that the two Indias should have approximately the same standard of government.

We would, therefore, urge their Highnesses to declare responsible government as their objective, an objective for the realization of which they will work as speedily as the circumstances in their respective states will permit, by conceding instalments of responsible or representative government, establishing independent judiciaries, granting fundamental rights including those of free speech and association, limiting their civil lists and establishing the rule of law and the equality of all citizens before the law. It must, in fairness to the more enlightened rulers, be recognized that they have latterly shown an appreciation of the new forces that are at work and in consequence of that taken steps to modernize their administrations. Constitutional government would strengthen and not weaken their hold over their subjects, as the example of the House of Windsor shows. It would give them a security which personal rule, however benevolent, cannot and a freedom from that paramountcy which is often so irksome to them. We hold it to be imperatively necessary that genuine representative government as a prelude to responsible government should be established in all the states, in some of a more advanced type than in others, but no state should be without it. In some of the states the most advanced type of representative government is possible. In the more advanced states it is possible and desirable to go further and their subjects would be justified in pressing for and the rulers would be wise in conceding to them a substantial instalment of responsible government. What makes an administration worthy of respect is adherence to those canons of good government which were so well emphasized by Lord Irwin (now Lord Halifax) in a memorandum which was communicated by him to the rulers and which was published by the Indian Social Reformer in its issue of Dec. 3. We should have been happy if we could with truth say that these canons are adhered to by all state administrations. Subversive activities—activities which sap the foundation of a state—cannot be fought by a denial of freedom of speech, press or association. They can be fought effectively only by bold and comprehensive measures of reform, by recognizing the right of the subjects to agitate in a constitutional manner for the enlargement of their rights and the redress of their grievances. It may not be possible to have responsible government in its most developed form—we have not got it yet in British India—all at once but it is possible to have executives which are responsible in spirit, if not in strict legal theory, to the feelings and wishes of elected representatives of the people. While it is essential that there should be representative government and the rule of law, we are not among those who desire to see the Indian states eliminated. We could have wished to see them, India as they are in origin, excel even British India. But it is the duty of a true friend to be frank and that spirit that I have ventured to make some observations on state administration if it is the duty of the states to be progressive in spirit and their administration, it is equally the duty of the subjects not to resort to heroic methods. We are constitutionalists. We have limited ourselves to those in which we believe. We cannot be expected to stand for one British India and quite another in the Indian states, and particularly those which offer no obstacles in the way of real genuine constitutional government. Restraint is not a sign of weakness, it is a mark of strength.

Now I propose to invite your attention to the working of provincial autonomy. I am going to say a few words about its working we must bear in mind (a) that the constitution being one to which Indian political parties have not agreed, (b) that it is

being worked in eight provinces by a party which found itself engaged in direct action at the time when the constitution was being evolved, (c) that the party in power in these provinces had made premises of a new heaven and earth at a time when it had not made up its mind to assume responsibility and was not certain of doing so, (d) that the federal issue is not regarded as being settled, (e) that owing to the system of electorates and the friction between the Congress and the Muslim League the communal situation has deteriorated, (f) that the country has not recovered from the effects of the economic depression and even in normal times it is extraordinarily poor, (g) that the Congress has an extreme left which has often given trouble to it, (h) that the limited resources and the fixed charges which they have to respect do not make a rapid development of social services possible and, (i) that totalitarian conceptions dominate the world today. If you bear in mind these considerations you will probably agree with me that it is a matter for satisfaction that the provincial governments, and in them I include the Congress governments also, should have acquitted themselves generally speaking as well as they have.

The Congress governments are learning what we have always emphasised that liberty has to be reconciled with order, that administration is an art which requires not mere talk but wisdom, sympathy, tact and firmness.

Generally speaking, the ministries have approached their task in a spirit of commendable energy. But while recognizing the success which has attended provincial autonomy—and we must not omit our tribute to the Governors, and services also for their admirable spirit of co-operation—it is no part of our duty as independent critics to ignore certain disquieting tendencies. There is tendency on the part of the leading spokesmen of the Congress to identify it with the nation. Undoubtedly the Congress is a powerful organization and it is the government in eight provinces. But we are thinking in democratic and not totalitarian terms. A constitutional opposition is as essential for the successful operation of democracy as a clean and honest government. There are bodies of men who do not belong to that organization and they have a right to insist that their existence shall not be ignored. Perhaps a reason for this tendency where it exists is that the average man feels that united action under well-directed leadership is necessary in the circumstances in which India, which has not achieved her freedom, finds herself. But that is a line of development which is, in my judgment, no longer open to us. Social and economic questions are coming to the forefront and the introduction of responsible government has made it essential that the country should be able to provide alternative governments to the governments in power. It is to be regretted that the oppositions are weak and often communal in composition. That perhaps is a penalty that we have to pay for our system of electorates.

Further, there is a tendency to rush through legislation without a thorough consideration of its reactions on the social and economic life of the community. Often the procedure of a select committee is dispensed with. You have had an example of this in the Trade Disputes Bill recently before the Bombay legislature. Instances have occurred where the highest courts have had to comment on interference by individual Congressmen with the civil and judicial administrations of their districts. There have been cases of interference even on the part of Congress ministries with judicial processes and with judicial findings. Some Congressmen have sometimes behaved as if they individually had power over district or judicial authorities and complaints have been heard—complaints of which even Congress Governments have had to take notice—of attempting to influence administration otherwise than by means of open discussions in the legislature and other formal procedure. The Criminal Law Amendment Act, to which we objected and they objected, has been used to stifle anti-Hindi agitation in Madras. There is too much intolerance in the party and even its leaders are not free from it. A refusal to see the other side of the picture—a belief that wisdom and patriotism are to be found exclusively in it—only are characteristic of it.

I shall now come to the institution of the so-called High Command, and gentlemen, you and I are not accustomed to semi-military language, less it is hard for me to understand the reasons which have been used in its existence. I can understand the case for national governments, national and united fronts. We ourselves are a national party and we have always been to exclusive provincialism. I can understand ministries of different provinces touching each other and even consulting their party outside the legislatures in touch with their party machines. But I cannot understand this inst.

is our objective? Is it democracy or is it some abnormal form of democracy unknown to countries in which the liberal state flourishes? That is the vital question raised by the Khare controversy. We are not interested in the personal quarrels between Dr. Khare and his colleagues. But there is a public aspect of the incident which we cannot ignore. That a body of men, however eminent, who are outside the legislature, should dictate to the Premier and his colleagues and that the Prime Minister and his colleagues should, forgetting their responsibility in the legislature, be controlled by them, is something which is quite inconsistent with democracy as we understand it. Healthy conventions of collective responsibility cannot grow if ministers and legislatures are made to take orders from a body outside the legislatures. Just consider what the High Command is. Colleagues can appeal to it against their chief, chiefs can be censured and expelled for asserting their authority, cases in which ministers have taken, rightly or wrongly, certain decisions, can be submitted to it for revision, legislation pending before the legislature can be referred to it for settlement. We cannot approve of all this. Even parties which have revolutionary background have never developed a machine like the High Command. Parties preserve their integrity and control their extreme elements by other means and the Congress, if it wishes to preserve its integrity and control its heterogeneous elements, must devise some other methods of doing so.

I propose to make some observations on Congress policy in general.

I have this to say on their financial policy that it appears to be a curious mixture of sacrifice of revenue and imposition of new taxes, of ill-judged economies and lavish expenditure on hastily considered schemes.

I have to invite your attention to another feature of Congress policy. One of our complaints against the old bureaucratic government used to be that it was unwilling or at all events reluctant to separate the judicial from the executive functions. Congressmen too were equally vehement in their nonofficial days in their condemnation of this combination of functions. But today we find that the attitude of the Congress has undergone a change. Some of their spokesmen have spoken as if they were in love with the present system of combination of functions. The scheme which has been devised in the United Provinces of judicial magistrates is a more oys-wash. In Bombay too the attitude of the ministry towards this question has, I believe, been equally unsatisfactory.

The need for separation of functions is greater and not less under a system of party and responsible government. Pure justice is the greatest blessing that a civilized state can confer upon its citizens. It is not enough that there should be justice. It is further essential that the public and the parties concerned should have confidence that justice is being done. A scheme which will separate the functions is not impossible of being put into operation immediately. The fact is that the will to separate them is lacking. The desire to control the judiciary has become perhaps as keen with Congress government as it was with the old bureaucracy.

You will perhaps allow me to offer a few remarks on Congress educational policy. I am not wrong in saying that so far they have evolved no policy. I think you will agree with me in holding that the Wardha scheme is educationally unsound. It is wrong to give to education a severely militaristic character from the very start. You and I do not want our children and our neighbours' children to be turned into factory workers without even the restrictions which the Factory Act impose on employers. It has been left to this country to discover that education can be made self-supporting. I should have thought that a party which claims to represent the masses would realize that educational opportunity is fundamental to economic opportunity, that higher education cannot be measured in terms of rupees, annas and pies. In western Australia I found that university education was free. Here it is being urged by responsible spokesmen that universities should be made self-supporting, that they should be turned into mere examining bodies, that cultural education of no use, and that the charkha and the spinning wheel suffice to make our children grow into intelligent, efficient leaders and workers in an age of machinery and fierce international competition, for world markets. I am and I think you too—are unrepentant believers in higher and well-planned education, which is neither too exclusively literary nor too exclusively vocational. Pressure is needed to keep the Congress governments straight in this matter of education. Expansion of education in all directions—primary, secondary and university—is necessary if this country is to take its proper place among the nations of the world.

Gentlemen, the economic issue is, I should say, the gravest of all the issues that face us. There is poverty and hunger and misery in this land. The vast mass of our people have to live in unhealthy conditions and go through life without opportunity to develop their faculties. The purchasing power of millions of our people is almost nil and their standard of life consequently too low. No one who has a heart can fail to sympathize with human misery and as Liberals, it has been our endeavour in the past and will continue to be so in the future, to find a solution of the problem of Indian poverty which increasing population, the economic depression and the unfair policy of the governments in the past have accentuated. I think you will agree with me that the new provincial governments have yet to evolve a constructive policy of economic development which will be both practical and fair to all the interests involved. I also think that you will agree with me in welcoming the initiative taken in this direction by the recent conference of Congress ministers and other prominent Congressmen. I think you will further agree with me that Government and people should aim at a well-balanced economy and that that requires that agriculture should receive equal attention with industry. A well-directed policy is not possible without the help of the Central Government, but the policy of that Government in recent years has, I think, not been such as to inspire confidence. We should inter alia press for (a) a reconsideration of the monetary policy and the rupee ratio, (b) a more liberal fiscal policy, (c) bilateral commercial agreements which would expand our export trade, (d) a policy of more active encouragement for our industries, and (e) a more active policy of capital expenditure by borrowing on public works. I also hold it essential that there should be more cooperation between capital and labour than there unfortunately is at present if we are to achieve big results. We have always endeavoured to hold the scales between capital and labour even. As men who believe in and stand for social justice, we have always been particularly solicitous for the weaker side. We have always supported whatever has satisfied us as reasonable in the demands of labour and have always pleaded for the human touch in industry. Personally, I have always held fast to the motto of that truly ethical statesman, President Roosevelt, 'humanity before profits'. Healthy trade unionism has always had our full support. We have always supported beneficent labour legislation and indeed, have always pleaded for better conditions for both our industrial and agricultural labourers. But we feel that the present industrial strife is not likely to lead us anywhere. Our principal problems are under-production and under consumption. We cannot solve the economic problem merely by a better distribution of what we now produce. The crying need is increased production. It is essential that there should be peace and harmony in industry if we are to achieve rapid industrialization. Too many strikes, revolutionary slogans, threats of overthrowing the present social order, the many injustices of which we recognize and seek to redress, by violence or semi-violence, defeat their own object. They do not weaken, they strengthen the forces of reaction. Perhaps you will allow a personal reference. I claim to be a friend of labour. I have taken such interest as I could in labour legislation and the work of the International Labour Organization at Geneva and have drawn my inspiration from Geneva. As a friend of labour, I consider it my duty to advise moderation on the part of labour.

I should like to make one or two remarks on our attitude towards tenants and landlords. That our sympathies should be with the tenants is not only understandable but natural and inevitable when you remember that we are Liberals and not Tories. It is not our lack of sympathy with the tenants, or any desire to maintain the status quo (we do not wish it to be maintained as our resolutions show) that has compelled us to criticise certain parts of the Tenancy Bill now before the United Provinces legislature. It is the sense of justice which is the key-stone of Liberalism, that has forced us to point out that it is not proper to impose obligations upon a class and then deny to it adequate facilities to fulfil them. Congress has yet to learn that vote-catching devices are no substitutes for well-thought out legislation.

With the exception of Zanzibar where an agreement has been reached in regard to the trade in clove the condition of Indians overseas continues to be one of anxiety.

The position of Indian settlers in South Africa has at no time been satisfactory. It continues to deteriorate and I note with regret that at the Transvaal United Party, which is supposed to be less unsympathetic than the other parties, resolu-

tious were passed suggesting a more stringent application of immigration laws in respect of Asiatics and the formulation of a scheme to prevent 'encroachment' by Asiatics in European areas. At the present moment there is sitting in the Transvaal a commission to enquire into the evasions of the Indian community of the laws restricting them from acquiring ownership of land. In our view, the Indian problem in South Africa can not be solved by making existing laws more stringent but only by granting Indians the elementary right of citizenship now denied to them.

In Kenya the Indian community is perturbed over the proposed Order in Council regarding the reservation of the highland areas to Europeans. Any such statutory recognition would perpetuate a condition of affairs which is not only unjust to Indian settlers but inconsistent with that claim for equality of citizenship which we can never give up.

The question of land tenure and the proposal to tighten existing immigration restrictions in Fiji should also receive our attention.

It is unfortunate that the Royal Commission on the West Indies which has started work in Jamaica has no Indian on it. The report of the Commission will be awaited with interest as we have a considerable Indian population in British Guiana and Trinidad.

An event of major importance is the publication of Sir Edward Jackson's report on Indian emigration to Ceylon. He has expressed the opinion that Indian immigrants have contributed greatly to the development of Ceylon and recommended continuance of import of Indian labour. We cannot allow Indian emigration until the policy of Ceylon Government changes. It is a matter for regret that the Village Communities Ordinance has not been amended on the lines desired by Indian opinion.

In view of Mr. Chamberlain's foreign policy, it is imperatively obligatory, in my opinion, to make it clear that India is interested in Tanganyika and that she will resent any step which transfers this mandated territory to a totalitarian state which has treated her minorities in the manner Germany has. It is to be hoped that the League of Nations will not be ignored in settling this question. We must insist upon freedom of vote for our delegates on this question and insist that on this issue they should be bound by the opinions of the Indian legislature.

Ladies and gentlemen, we sometimes feel apprehensive of the future of Liberalism in the modern world and in our own country. In my opinion there is no reason for despair. The truths enshrined in Liberalism are eternal and they cannot die. We, Indian Liberals, realize that our aims and objectives cannot be different from those of our fellow-Liberals in other parts of the world. We find ourselves in a world of conflicting social philosophies and the average man is entitled to know what our particular creed is. You will, therefore, pardon me if I endeavour to re-state the fundamental tenets of Liberalism. Liberalism, which is a child of the Protestant Reformation, the French Revolutionary era and the nineteenth century nationalist movements, stresses the worth of the individual and his capacity for, as well as his right to, unfettered development and self-expression. It visualizes a social order, a political and economic system which will provide every individual with a decent standard of life. It stands for the reign of discretion and proclaims that freedoms of thought, speech and association are vital for the growth of the individual. Its conception of liberty is not a merely negative but a positive one. It asserts with enthusiasm and intensity of conviction that only in the democratic state can men and women find real security for good government and the antagonism between the individual and the state be reconciled. It rejects the materialistic conception of history and the doctrines of class war, proletariat dictatorship, world revolution and the labour theory of value. It emphasizes humanity and social solidarity. It affirms the right of all nations, big or small, to work out their destiny without interference by alien imperialisms. It works for social justice by diminishing through state action—such for example as the development of social services and the method of taxation—grosser inequalities of fortune which constitute a blot on modern civilization and make a harmonious growth of human personality impossible. It believes in placing the burden of taxation on those who are best able to bear it, but not so as to be unfair or oppressive. It opposes privilege and monopoly wherever they may be found to exist. It asserts that poverty and all that goes with it—slums, dirt, vice, disease, misery, ignorance and superstition—is revolting to the social conscience and that it is the imperative duty of the community to eradicate it. It stands for equality of opportunity, for a social system in which it shall be possible for all to

start life, without avoidable handicaps. It endeavours to break down the rigidity of class barriers and maintains that it is the duty of government to be fair to all sections of the community. Unlike a mechanical socialism it refuses to be bound by the hide bound dogma of the nationalization of the means of production and distribution as a panacea for all the ills to which society is heir. But it is not opposed to nationalization where and when necessary. It favours, where necessary and desirable—witness for example the American experiment—state intervention in and state regulation and control of the economic life of the community. But it is opposed to regimentation of life. It stands for a dynamic conception of life for progress, for reform and not stagnation. Experience has taught it that in human affairs men cannot dispense with gradualness, but gradualness for it implies action and is not, as Professor Pigou would say, a name for standing still. It believes in a wider and juster diffusion of economic power, and in 'the joy of possession.' It maintains that only in and through service can the individual achieve perfection and left in this country to discover that education can be made self-supporting. I should have thought that a party which claims to represent the masses would realize that educational opportunity is fundamental to economic opportunity, that higher education cannot be measured in terms of rupees, annas and pias. In western Australia I found that university education was free. Here it is being urged by responsible spokesmen that universities should be made self-supporting, that they should be turned into mere examining bodies, that is to say, his idea of self-perfection by acting as a member of a social organization in which each contributes to the better being of all the rest', and that, as a recent commentator has pointed out, 'the ethical value of the institutions of civil life lies in their operation', as 'giving reality to the capacities of will and reason and enabling them to be really exercised'. Surely a creed like this can never die. It can die with life itself.

I have endeavoured to state our objectives as I feel that an idealistic background is necessary for political party. Ideals must have, however, some relation to realities and as men who understand the limitations we have to work under we have advocated only such as I believe them to be practicable and yet not visionary measures as will relieve the distressing poverty of our people. They are based upon a recognition of the legitimate rights of all classes and I am sure, are within the range of practical politics. It has not been our practice to make promises which we cannot fulfil. A perusal of our resolutions will show that we have always urged, *inter alia*, (a) a reform of agrarian laws which will be fair to all classes and secure the tenantry in their legitimate rights, principally fixity of tenure and fair rents, (b) embodiment in legislative enactments of the main principles of land revenue assessment in provinces where this has not yet been done, (c) relief of agricultural indebtedness by means of debt conciliation boards, land mortgage banks and the extension of the cooperative movement, (d) the adoption of measures to check further fragmentations and facilitate the consolidation of agricultural holdings, (e) substantial aid in the development of industries big and small alike, (f) a fiscal monetary policy wholly in the interests of India (g) legislation for the more adequate protection of labouring classes both in urban and rural areas, (h) the early introduction of free and compulsory elementary education for both boys and girls, (i) a reform of the educational system which without prejudice to the wider diffusion of higher education the need for which we recognize I venture to think more than any other party in the country would enable our young men by its diverse nature to be diverted to wealth producing occupations, (j) adequate provision for medical relief and the promotion of public health, particularly in rural areas, and (k) an active policy of temperance reform which will always subordinate considerations of revenue to the welfare of the people. When it is recognized how woefully limited our resources are every thinking mind will agree with me that even no-five-year plan could be more comprehensive than the one put forward by us. We have never considered it honest to put forward programmes which we know we cannot carry through. Would it be incorrect to say that the Congress is finding it difficult to redeem its promises now that it is in office? I will leave it to all impartial men to answer that question.

Reflecting over the problems of the modern world, I often feel that the trouble with our civilization is that both in our individual and our collective life, we continue to be guided by the selfish instinct. In modern society individuals like to dominate individuals and nations desire to dominate nations. Great nations have accepted philosophies which teach them that their interests are distinct and separate from those of their neighbours and that indeed they cannot as nations fulfil their

mission unless they control and guide for their own ends the lives of other races and peoples. They discover ethical justifications for meddling with the affairs of those who happen to be weaker than themselves and are not prepared to share the privileged positions they enjoy with those who happen to be less fortunately situated. The cause of war are thus rooted deep in the materialistic structure of modern society. They are to be found in the Mephistophelian ideologies which emphasize the national to the exclusion of the international ideal, in the mal-distribution of the world's resources and the unwillingness of those who have the lion's share to agree to a more equitable distribution of them in the fight for world markets, in systems of national economies, in the worship of force as the supreme manifestation of the state and in utter disbelief of anything beyond and above the material world in which we live. The wars of our period are not, as a thoughtful writer has pointed out, local wars. The maladies from which the world suffers cannot be remedied completely by revision, under pressure, of this treaty or that frontier. They can be cured only by a change in the human spirit and what we need to learn is that what unites men together is what our sages would have called 'Dharma' and what we should probably translate as 'Duty'—though I think Dharma is more than duty.

#### Resolutions—2nd. Day—Bombay—31st. December 1938

The open session of the Liberal Federation was resumed at noon to-day. Condolence resolutions from the Chair on the deaths of Sir Phirozo Sethna, Principal H. C. Maitra, Pandit Jagat Narain, Sir B. N. Srivastava, Rai Bahadur N. K. Mukherjee, Pandit Biswanath Tholal, Pandit Ramachandra Gossain, and Mr. G. V. Gannu were passed. The following resolutions were also passed :—

##### FEDERAL CONSTITUTION

*Kunwar Sir Maharaj Singh* moved the resolution on Federation :—

The National Liberal Federation reiterates its opinion that the constitution especially as regards the centre, as embodied in the Government of India Act of 1935 is utterly unsatisfactory and in other respects retrograde. While the National Liberal Federation accepts the federal form of government for India as the only national ideal for the country, the Federation considers that vital changes are required in the form of federation as laid down in the Act, especially in the direction of (1) clearing up the position of the princes and securing to the subjects of the States the right of election of States' representatives, (2) doing away with safeguards regarding monetary policy and commercial discrimination, (3) introduction of district election of members of the Federal Assembly by the provinces, and (4) making the constitution sufficiently elastic, so as to enable India to attain Dominion Status within a reasonable period of time.

"The Federation considers that the present position, when there is an irresponsible Government at the centre coupled with responsible Governments in the provinces, is altogether untenable and earnestly urges the British Parliament to make immediate changes in the federal part of the constitution so as to make it generally acceptable.

"The Federation repeats that the constitution, once it is brought into operation, is to be utilised to the best advantage to the people for the amelioration of their social and economic conditions and for accelerating the pace of political advance.

##### PROVINCIAL AUTONOMY

*Dr. R. P. Paranjpe* (Poona), then moved the resolution on Provincial Autonomy :—

"The Federation expresses satisfaction that in all the provinces provincial autonomy, as consistently advocated by the Liberal Party, is being worked on constitutional lines without any undue interference from the Governors, and trusts that this atmosphere will continue and lead to the establishment of complete autonomy in the provinces and early introduction of responsibility at the centre. The Federation strongly deprecates the Congress Working Committee's attempt to impose its will and decision on the provincial Ministries, as such interference is calculated seriously to hinder the growth of a healthy democratic system of government."

##### INDIAN STATES

*Prof. R. H. Kelker* (Poona) moved the resolution on the need of reform in Indian States :—"The Federation reaffirms its complete sympathy with the natural and perfectly legitimate aspirations of the people of the Indian States for civil and political liberties. While deprecating any attempt at coercion to force the hands of rulers, the Federation trusts that the rulers of all the States will, in their own interests, concede to their subjects without further delay the right to security of person and

property, liberty of person, speech and press, freedom of association and an independent judiciary and representative institutions, leading ultimately to the establishment of responsible government."

#### ECONOMIC DEVELOPMENT

The Federation next passed a resolution on economic development. It is the same as given in the President's outline of the future programme, which appears under the subheading 'Our Programme' in the report of the Presidential Address.

#### DEFENCE OF INDIA

*Dr. Paranjpe* moved the resolution on the defence problem of India.

"The Federation protests that the federal part of the Government of India Act does not provide for a close association of the responsible part of the Federal Government with the defence of the country.

"The Federation deprecates the exclusion of Indians from the Chatfield Committee.

"The Federation reiterates its demand for a rapid nationalisation of the defence forces in India, redistribution of the defence expenditure in such a way as to provide more money for the rapid development of an Indian air force and an Indian Army, removal of communal and provincial restrictions regarding recruitment to the army and taking all necessary steps to make the people of this country more self-reliant in the matter of defence.

"The Federation also urged a systematic organisation of air raid precaution measures."

#### INDIANS IN DIPLOMATIC CORPS

The resolution urging the inclusion of Indians in the British diplomatic and consular corps and the formation of an Indian consular service on the lines of the Dominions was moved from the chair and passed.

The Federation urged that a consular service of India should be developed on lines adopted by other dominions in the Empire.

#### INDIANS OVERSEAS

*Kunwar Sir Maharaj Singh*, ex-Agent-General to the Government of India in South Africa, moved the resolution on Indians overseas.

"The Federation deplores the recent Burma riots, urges the Government of India to protect Indians in Burma and hopes that the question of compensation to Indian victims will receive the careful attention of the Burma Government.

"The Federation deplores the Village Communities Ordinance Amendment of the Ceylon Govt. which denies franchise to the Indian estate labourer, and urges the Government of India not to reopen recruitment of labour for Ceylon or enter into any trade pact with Ceylon until a satisfactory settlement of the franchise question is reached.

"The Federation opposes the transfer of Tanganyika to Germany, as it would retard the economic progress of the Indians in Tanganyika, and requests his Majesty's Government to make an unequivocal declaration against rendition of territory to Germany.

"The Federation emphatically opposes the proposed Order-in-Council which would permanently and legally debar Indians from holding land in the Kenya highlands. The Federation disapproves of the proposal to settle Jews in Kenya and objects to preferential treatment being given to foreigners in Kenya, which is denied to the Indians resident there.

"The Federation feels that the time has come when the Government of India should compel the South African Union Government to grant political and municipal franchise to the Indians resident there".

#### OTHER RESOLUTIONS

The Federation next passed a resolution urging the discontinuance of the system of appointing civilians as Governors and Judges.

The Federation emphatically disapproves of the appointment of civilians as Governors and Judges.

*Sir Chimanlal Setalvad* moved a resolution urging separation of the executive from the judiciary.

The Federation expresses its disappointment at and protests against the provincial Governments' failure to separate the executive from the judiciary.

The Federation also passed a resolution demanding educational reform and then terminated.

# The Justice Party Conference

## (The South India Liberal Federation)

Fourteenth Session—Madras—29th. December 1938

### The Presidential Address

The fourteenth annual session of the South Indian Liberal Federation was held at a special pandal erected on Island grounds, Madras on the 29th December 1938.

Processions from different parts of the city met at Napier Park, wherefrom they proceeded to the Conference pandal led by a decorated car carrying a large portrait of Mr. E. V. Ramaswami Naicker, President elect of the Confederation who was undergoing imprisonment on conviction by the Fourth Presidency Magistrate on a charge under Section 117, I. P. C., read with Section 7 (1) of the Criminal Law Amendment Act (of inciting women to transgress the law in connection with the anti-Hindi agitation). The proceedings were conducted with Mr. *Ramaswami Naicker's* portrait in the Presidential chair. *Mr. Naicker's* address was in Tamil, covering 27 printed pages. The following is a summary of the address :—

*Mr. E. V. Ramaswami Naicker* thanked the S. I. L. F. for electing him as President of the Confederation. He said the S. I. L. F. stood for the liberation of 97 per cent of the population from the exploitation of a small minority community which had successfully enslaved them, in the name of Nationalism and Spiritualism in various spheres of life.

The object of the S. I. L. F. was the promotion of the greatest good of the greatest number. It was started on November 30, 1916 by leaders who were noted for their ripe experience, profound wisdom and selfless service. We should all be under an eternal debt of gratitude to Dr. T. M. Nair and Sir P. Theagaraya who had left the movement to us as an imperishable and highly valuable legacy. They had to contend against great odds and overcome the machinations and manoeuvres of our opponents who placed innumerable obstacles in the way of the movement.

A favourite argument of our opponents from the very inception of our movement down to the present day, which they have been using to discredit us, is that ours is a communal movement. If the attempt of 97 per cent of the people to unite and claim their just and legitimate rights can be described as "communalism" what "ism" is that which monopolises all public appointments and makes them a close preserve for a microscopic minority of 3 per cent of the population? Do we ask for separate or exclusive rights for any community or sect? Or have we ever said that we belong to a superior caste and therefore should be given preferential treatment in many matters? All that we ask is that we should be given our due share of political rights and public appointments. A minority community has been, from time immemorial, acting on the basic assumption that it is a privileged and exclusive caste superior to all other castes, that its members are Bhudevas and that it has manners and customs and a culture and civilisation which are different and distinct from that of the 97 per cent of the people. It latter become alive to their rights and realise the absurdity of the claims of the so-called superior caste and that is called "communalism". I wish that we always have that "communalism" as the cardinal principle of our life.

*Mr. Ramaswami Naicker* then referred to the relative position of the Brahmin and Non-Brahmin communities, before the Justice movement was started, in regard to education, Government appointments, economic well-being and social status, and quoted facts and figures which show that the Brahmmins enjoyed a privileged position out of all proportion to their population strength and stake in the country. He then asked what was the present position, and said in many respects it remained what it was 22 years ago. Our opponents say that the Justice movement is a movement consisting of self-seekers and job-hunters. But what do we actually find? Prominent members of the party have generally suffered much loss on account of the movement. Some have lost their wealth, income, family prestige and so on.

In this connection I should like to say a few words about our leader, the Rajah Sahib of Bobbili, who made the greatest sacrifice for the sake of our party. When it was weak and disorganised and seemed on the verge of complete annihilation, he came to us and utilised his wealth and energy in an immense measure for unifying and strengthening the party. Though the Rajah Sahib has resigned his leadership, so far as I am concerned, I consider him still as the leader of our party. Strength of mind, intense attachment and loyalty to the party, a generous and self-sacrificing spirit—these are qualities which I have always found and admired in the Rajah Sahib. Even now I consider myself more as a worker willing to carry out his orders than anything else. I should also like to take this opportunity of expressing grateful thanks to two of my beloved comrades, *Mr. Soundarapandian* and *Mr. Viswanatham*. They have stood by me steadfastly through good report and through evil, and I can never forget their kindness.

Let us now consider our present position. Our opponents say that we are reactionaries, that we are job-hunters, that we are persons who have no national feelings that we belong to the party of zamindars. How are we reactionaries, I ask. Our basic principle in politics is that there should be even-handed justice, equal rights and equality of opportunity to all. I ask whether the Congress which is the extreme political party in this country has adopted this principle. If so, how is it that in the Congress to-day Brahmins have the dominating position and all others only the right to lift up their hands in agreement whenever they are asked to do so?

In the political sphere, if Congressmen say that foreigners should be driven out of the country, do we say that they should not be? When Congress says it wants Purna Swaraj do we say that we want only half Swaraj or quarter Swaraj? If Congressmen say that the people should not be taxed, do we say that they must be taxed? If Congressmen say that all persons should know to read and write, do we say that one caste alone should read and it is a crime if others do so? If Congressmen say that there should be no caste differences and that all belong to one community, do we say that there should be caste differences? If Congressmen say that all Hindus can enter temples without any restriction, do we say that it is wrong? If Congressmen say that members of all castes, religions and sects should have equal rights in regard to administration of Government and that all obstacles in the way should be removed, do we say that it should not be done? In what way then, are we reactionaries? We are accused of glamour for jobs. But have we ever asked that more than the due share should be given to us? During the 17 years of our regime to which community did we refuse its due share, or to which community did we lessen its rightful share? After all, what is wrong in aspiring for Government appointments? The salaries for these appointments are given from the taxes paid by the people, and they carry with them a good deal of power, responsibility and influence which can be utilised to render service to the people.

*Mr. Ramaswami Naicker* then analysed the meaning of the word "nation" and pointed out its inapplicability to Indian conditions. As things stand at present, the centrifugal tendencies are greater than the centripetal ones. Burmans raised the cry "Burma for Burmans" and cut themselves off from India. Orissa and Sind had been created new provinces. Andhras want to have a province of their own. Muslims of the North-West Frontier got a new province for themselves. It is strange that the Indian National Congress should give its seal of approval to these fissiparous tendencies and still beat the big drum of "nationalism".

If Sindhis, Gujjeratis, Bengalees, Andhras, Malayalis, etc., can separate and have their own provinces and there is nothing non-national in it, why should the demand of Tamilians, "Tamil Nad for Tamilians", be considered to be against "nationalism"? If Tamilians, who cannot tolerate their being exploited by Aryans, ask whether it is just or fair that there should be such exploitation, they are accused of class-hatred, sedition, and treason to the "nation". The question is: Are we to put on the "nationalist" garb and efface ourselves, or are we to get frightened at the state of thing and commit suicide?

In the political sphere, people are being exploited in the name of "nationalism", even as in the religious sphere the promise of "Moksha" is used to delude them.

Referring to criticisms against the Justice Party, *Mr. Ramaswami Naicker* asked what was it that the Party had done during the 17 years it had been in office which

stood in the way of getting Swaraj, what was the harm they had done to the people, and what was the good they should have done, but which they neglected to do? He challenged any one to come forward and reply to these questions.

Which was the Party that had worked for the last so many years for the removal of caste distinctions and caste tyrannies? Which was the Party that got for the Depressed Classes the right to walk in the streets where before they were forbidden to walk? Which was the Party that gave communal representation? Which was the Party which spread education among Depressed Classes, provided them with all necessary facilities and conveniences and enabled them to get Government appointments? Was it not the Justice Party?

During the regime of the Justice Ministers, the expenditure on education was doubled. In a number of departments, there was appreciable progress during the Justice regime. After they took up office, the Justice Party took steps to reduce salaries of Government servants by about a crore of rupees. They reduced taxation by about 25 per cent. When full power was not in their hands they had lessened taxation and showed satisfactory progress in a number of departments. What more can anybody do? Look at that picture, and now look at this! The present Congress Ministers who are working under full provincial autonomy, have abolished a number of schools, raised school fees, taken away some of the facilities for educational advancement enjoyed by the Depressed Classes, levied new taxes, and raised loans. Within 18 months they have borrowed 4 half crores.

Congress Ministers were now openly saying that they did not have administrative experience. The way in which they pass orders, change them, create new appointments, show communal feeling in the matter of such appointments, was well known to the public. Their co-operation with and support of British Imperialism and their pledge to wreck the constitution stood in glaring contrast.

Referring to the introduction of compulsory Hindi, he asked why, when the Congress Ministry had been closing down schools on the ground that there was no money, when 93 per cent of the people were not literate in their own mother-tongue, the alien language of Hindi should be compulsorily introduced. Did they promise to the voters at any time that they would introduce Hindi? In spite of the fact that any number of public meetings were held protesting against compulsory Hindi, in spite of the fact that nearly 600 persons, including 75 women, had gone to jail, in spite of the fact that great Tamil scholars had pointed out that Tamil language and culture would be greatly affected by Hindi, still there has been no change in the attitude of Government. I ask, is this democracy?

The use of the Criminal Law Amendment Act, which they condemned before they took up office, against those who merely shout "Long live Tamil" and "Down with Hindi" and the heavy sentences and fines imposed on Anti-Hindi volunteers, the ill-treatment meted out to Anti-Hindi prisoners,—all these make us exclaim "Is this democracy?"

Referring to the Wardha scheme of education, Mr. Naicker said that it was a strange and novel scheme unknown to the world till now, and its result would only be to ruin education itself. Great educational experts had condemned the scheme, and yet serious efforts were being made to put it into practice.

As regards the proposed Zamindari legislation, Mr. Naicker asked what was the object of the legislation? Was it to do any good to the people. Or was it to wreck vengeance on political opponents? Some of the legislative measures of the Congress Ministry required amending measures soon after—so well were they drafted! And one measure was in the law courts, the legality of the measure being questioned. And now we had the Zamindari legislation. The land, according to it, belonged not to the actual cultivator, but to the middlemen and rack-renters.

To those who criticised the Zamindari leadership of the Justice Party, it might be pointed out that Zamindars had done nothing for themselves, they had been the losers rather than gainers. No big movement can be run without money, and the Congress itself was financed by big wealthy capitalists like Mr. Birla and Mr. Jamnadal Bajaj.

Mr. Naicker stated that before Zamindari system was abolished, the reign of priests should be abolished. That was more urgent.

Referring to the Labour Movement he said workers were thinking that the Non-Brahmin Movement and the Labour Movement were two distinct Movements. This was incorrect. They were one and the same. Before the capitalist system could be removed, the priestly tyranny should go. For priesthood, unlike capitalism, was based

on birth. In an appeal to Non-Brahmins in Government service, Mr. Naicker said they had neglected to do their duty by the Movement and thereby done incalculable injury to the cause. They must lend their moral and financial support to the Movement.

Appealing to the leaders of the Movement, he said they must sink all personal differences and work for the great cause. Concluding, Mr. Ramaswami Naicker said :

Great changes are ahead of us. At this time you have placed a very ordinary man as leader. I am not fit to advise the Party, but I should like to say that the one thing we have to do is to bring about unity, unity, unity. We must strengthen our organisation. We must carry on propaganda on dignified lines. We should not show hatred or dislike towards anybody. Without fear we must stand and fight for the cause, like a soldier on the battle field, till the very end.

#### Resolutions—2nd. Day—Madras—30th. December 1938

The following resolutions were passed by the Conference :—

The Federation placed "on record its high and grateful appreciation of the valuable services rendered to the South Indian Liberal Federation by the Raja Sahab of Bobbili, as leader of the Party."

"This Confederation congratulates Sir A. Ramaswami Mudaliar on his appointment as Commerce Member of the Government of India".

#### REFORMS IN COCHIN

*Kumararaja M. A. Muthiah Chettiar* moved the next resolution which was as following :—"This Confederation congratulates His Highness the Maharaja of Cochin and Sir R. K. Shunmukham Chetti on their introducing responsible government in the Cochin State."

#### CONGRESS POLICY ATTACKED

*Mr. T. S. Nataraja Pillai* then moved the following resolution :—"This Confederation views with apprehension the policy followed by the Congress Ministry in Madras in suppressing legitimate political opposition and thereby endangering the healthy growth of parliamentary democracy."

*Mr. C. D. Nayagam* moved the following resolutions and it was as follows :

"While the Congress Ministry of Madras not merely tolerated but actually incited and encouraged open and vigorous picketing of Zanzibar cloves, godowns and shops, it has resorted to the Criminal Law Amendment Act for the suppression of peaceful and lawful demonstrations of anti-Hindi agitators.

"The Prime Minister in justification of his failure to separate the Judiciary from the Executive stated that now that he, a popular representative as he called himself, was in charge of the administration, the need for such separation has disappeared, but has on another occasion asked how he was to get on with the administration if such separation was effected, and has thereby given the impression that the subordinate magistracy were to serve as handmaids of the executive of which he is head and has thereby defiled the course of justice.

"On these and other grounds, this Confederation is of the opinion that the present Ministry of Madras has forfeited all claims to be considered as able, just and impartial administrators and therefore calls upon all Dravidians to repudiate the representative character of this Ministry."

#### EXPLOITATION OF STATES

*Mr. R. V. Chokalingam* moved the following resolution : "This Confederation fully sympathises with the claims of State's subjects for constitutional advance but deprecates outside exploitation of internal affairs of Indian States."

#### RE-FORMING OF MADRAS ARMY

The next resolution moved by *Mr. P. V. Krishniah Choudhuri* ran as follows : "This Confederation expresses its sincere conviction that it was unfair and unjust to the people of South India that the Madras Army should have been disbanded and strongly urges the Government of India to take immediate steps to enlist suitable men from this Presidency for the Infantry, Artillery and Air Force and thus re-form the old Madras army. This Confederation urges that recruitment to Indian Army only on a class basis is not a wise and convenient policy and the recruitment should also be on a provincial basis."

# LAND REVENUE

Mr. *N. R. Samiappa Mudaliar* moved that "this Confederation urges the Government to immediately take steps to fix land revenue on an equitable basis and that till then a reduction of 33 and one-third per cent in land revenue should be granted".

# WARDHA SCHEME

"This Confederation is of opinion that the Wardha Scheme of Education is injurious to the educational advancement of the people and impresses on the Government its duty to introduce free and compulsory elementary education in the country."

# WORKERS' ASPIRATIONS

Mr. *N. V. Natarajan* moved that "this Confederation recognises the workers as a class and pledges its active sympathy and support to help them in all their legitimate aspirations and struggle for their progress and uplift."

Mr. *Muthuliaga Reddiar* moved the resolution: "This Confederation condemns the policy of the Government in systematically victimising non-Brahmin officers, both gazetted and non-gazetted, of the Government, and making fresh appointments in disregard of communal justice and it further condemns the action of the Government in disbanding College Admission Committees."

Mr. *N. Sankaran* moved: "This Confederation is emphatically of opinion that the Federal Scheme outlined in the Government of India Act of 1935 is highly unsatisfactory and therefore needs revisions in a manner acceptable to the S. I. L. F."

Mr. *T. A. V. Nathan* moved: "This Confederation offers its congratulations to those men, women and children who sacrificed their freedom and went to jail to vindicate their right to preserve their mother-tongue from alien influences and calls upon the people to oppose the introduction of Hindi by all constitutional methods open to them."

# BOMBAY TRADES BILL

Mr. *C. Basudev* moved: "This Confederation places on record its strong disapproval of the Bombay Trades Disputes Act recently passed as it includes provisions which constitute an unwarranted invasion on the natural and just rights and privileges of the workers with particular reference to the right to strike and warns the Madras and the Central Governments against introducing similar bills with the same or similar clauses."

# OBJECTIVE OF THE FEDERATION

The President then moved three resolutions from the Chair relating to changes in the constitution of the S. I. L. F. The main change, he said, was with regard to the object of the Association. The object according to the existing constitution was the attainment of Dominion Status by all constitutional means. He moved that the object of the Federation be the attainment of independence for the country. He said that the change was necessary.

# ATTACK IN THE MADRAS MINISTRY

Mr. *Albert Jesudasan* moved that "this Confederation places on record its emphatic opinion that the Congress Ministry in Madras has by its maladministration and its policy of repression of civil liberties, lost the confidence of the country."

# OTHER RESOLUTIONS

On the motion of Mr. *Khader Bhava*, the Confederation adopted a resolution deploring the riots that took place recently in Burma and urging the Madras Government to secure compensation for the sufferers from Madras.

"The policy of the Government in regard to minority communities" was criticised. The Confederation assured Muslims, Adi-Dravidas, Indian Christians and Anglo-Indians that their interests would be "jealously safeguarded by it."

Resolutions were also passed protesting against the use of the prefix "Sri" by the Government before proper names; condemning the use of the term "Harijans" for the Depressed Classes; urging the cancellation of the G. O. allowing local boards to hang Gandhiji's portrait along with that of His Majesty the King-Emperor; asking the Government to provide facilities for "A" class prisoners to take oil-bath at least once a week and condemning putting women picketers in "C" class.

# The Indian Christian Conference

Twenty-third Session—Madras—30th. December 1938

## Presidential Address

The twenty-third annual session of the All India Conference of Indian Christians commenced at the Memorial Hall, Park Town, Madras on the 30th. December 1938 under the presidency of *Dr. H. C. Mookherjee*.

*Dewan Bahadur S. E. Runganadhan*, welcoming the delegates, referred in appreciative terms to the work of the Congress Ministries and said: "We in Madras viewed with satisfaction the assumption of office by the Congress Party last year and are glad that our confidence in the Congress Ministry has been so far justified. The Madras Government's policy of Prohibition has particularly received the enthusiastic approval of the entire Christian community."

*Dr. H. C. Mookherjee*, in the course of his presidential address, said:—

Since the assumption of office by the Congress which claims to represent the opinion of political India, we find that in the following seven provinces it has succeeded in capturing power: Bombay, North West Frontier Province, United Province, Bihar, Central Provinces, Orissa and Madras. It has also formed a coalition ministry in Assam while in Sind the Alla Bux Cabinet depends on Congress support for its existence. It is only in the Punjab and Bengal, two predominantly Muslim provinces, that we find Non-Congress Ministries. The Congress ideal is the basis of work in all the nine provinces where the Congress has a say in the work of administration. Even in the two Non-Congress provinces, the ameliorative measures already adopted or proposed to be introduced follow the Congress programme very closely. This may be regarded as the best possible evidence that the programme of work framed by the Congress is one which has wide appeal for the Indian mind and also that it meets, more or less successfully, the political and economic needs of our country as a whole.

Probably the most outstanding characteristic of the Indian National Congress as a political body lies in the fact that it has succeeded in bringing under one common flag such opposite elements as captains of industry and cultivators of the soil, Capitalists such as bankers and mill-owners and communists, intellectuals and illiterates, conservatives and socialists. Probably the reason underlying this union between individuals professing such widely divergent political views is that the Congress has been so long the only important medium for the expression of nationalistic views of all complexions. The assumption of leadership in constitutional activities and the responsibilities contingent thereon are gradually acting as disintegrating factors. It is probable that in the long run in India as in the countries of the West new political parties based on economic causes will tend to come into existence.

Congress Ministers are now faced with many difficulties some of which are of their own making. In the past when the Congress leaders had very little hope of capturing office they made all kinds of promises to peasants and industrial labour. To day these peoples demand the fulfilment of those pledges. Liberals, Moderates, Zamindars and mill-owners all realise the desirability of readjustments in rent, revenue and wages which aim at gradually improving the economic position of both agricultural and industrial labour. The extreme elements are demanding immediate fulfilment of the old pledges with the result that we have kishan marches and lightning strikes. Individuals who are embarrassing Congress Ministers by preaching class hatred and thus creating communal tension are also not wanting.

The responsibilities of office have compelled Congress Ministers to recognise the necessity of maintaining law and order, and in practically every Congress province the Ministers have been forced not only to administer stern warnings to those who preach violence and incite communalism but, now and again, they have had recourse to those repressive laws which they had criticised so bitterly in the past. The adoption of such steps has had the effect of creating a split in the Congress ranks so that we now have a Right and a Left Wing. Extremists of all types and socialists are gradually tending towards the adoption of communism as their political gospel, while

moderates are gradually becoming more and more conservative in their outlook. Congress Ministers have, on account of their adoption of so-called repressive measures, been charged with inclining to the Right and it has been stated more than once that even their day-to-day work is being greatly embarrassed by constant pressure from the Left. The conflict which in the past took place between the British Executive and Indian opinion has now assumed the form of a struggle between the Right and the Left Wings inside the Congress fold. The Congress Right is composed of the middle class and capitalists while the Congress Left is composed of agricultural and industrial labour. The Right has become so Right that it would not object to maintain collaboration with Great Britain permanently—a lesson driven home by the plight of Abyssinia, Czechoslovakia and China.

The aim of both the parties is said to be the same viz., the attainment of complete independence. The Right would like to do what is possible within the present limits of autonomy to improve the lot of the masses while the Left would recklessly adopt any measure to secure the same end by quickening the rate of progress. Probably it is through the great influence of Mahatma Gandhi and the universal respect he commands that an open breach has so far been avoided. But it is doubtful if Mahatma's influence will serve much longer in keeping together these discordant elements.

All impartial observers are bound to acknowledge that the Congress Ministers are making every effort to serve their countrymen and are honestly striving to do so within the limits of the constitution. Recognising the fact that in India to benefit the masses means to benefit the peasantry, every Provincial Government is endeavouring to improve the lot of the cultivator by taking steps to reduce revenue or to prevent further increase of rent and by introducing legislation to alleviate rural indebtedness.

I feel that India owes a very great debt of gratitude to the Right Wing of the Congress and to such leaders of this group as Messrs. Rajagopalachariar, Khare, Govinda Ballav Pant, Sri Krishna Sinha and Biswanath Das who have to meet opposition both from without and within. I can well imagine the difficulties they have to encounter from within their own ranks. I also admire the uniform levelheadedness with which the Congress High Command has laid down its policy, the loyalty with which it has stuck to its programme and its insistence on following it out in every Congress province. Compromise is the very life of politics but the danger which constantly besets it is that it might go too far. Much ink has been split in attempting to prove that the Congress High Command which is dictating an All-India policy is tending towards Fascism. As against this, we must remember that in order to avoid all chances of interprovincial friction and to have a united India, we ought to have a uniform policy in matters fundamental, with variations, of course, to suit local conditions. This much-needed uniformity in policy can be expected only from a central All-India body and the High Command is the organisation devised to serve such a purpose.

While I do not suggest that all Left Wingers are communists, I do hold that the demand for rapid progress is so insistent all over our country that, unless special care is exercised, there is always present a likelihood of the Left Wing as a group intensively drifting into communism. One thing more has to be remembered, namely, that it is easier to win popularity by the advocacy of spectacular measures than by day-to-day, drab but useful work, progress in which is so slow as to escape public notice. The lure of public applause is so strong with a certain type of mind that unless special precautions are taken, the temptation to advocate and adopt extreme views is almost irresistible. Professing the faith we do, we cannot permit ourselves to be identified with the Left Wing which has, of late, manifested a lamentable tendency towards class war and communism.

The Right Wing of the Congress which is now in power has secured the admiration of an overwhelmingly large section of the public by reason of the wisdom and sanity it has displayed in handling some very delicate situations and the firmness with which it has maintained law and order without however refusing to recognise the claims of either the cultivator or industrial labour to better treatment. No one can prophesy how long this section of the Congress will remain in power to dictate and to implement its policy. A fear which always haunts me is that the forces of disruption now constituting the Left wing may prove too strong for it. Let us all hope that both the Wings will realise the very important fact that the Congress will lose its commanding position in the domain of Indian politics if there is a split within itself.

The Right Wing can always profit by the constant pressure of the Left Wing in order to press onwards with its programme for benefiting the masses with such rapidity as may be consistent with the political well-being of the country. Under these circumstances it will continue to serve the most useful purpose of acting as a brake on the Left Wing's hasty and premature policy of radical reform.

I am aware that here and there some dissatisfaction has been felt as to the way in which certain provincial Congress Governments have treated or, are supposed to have treated our community. Not having moved outside Bengal and Assam, I am not in a position to make any pronouncements on such a matter. It has been suggested that in certain cases at least, these complaints have emanated from people who failed to secure from the respective Congress Governments favours they had solicited. Without attaching undue importance to this particular type of explanation, I am consoled to find that apart from such charges against Congress ministers, our brothers in faith have borne eloquent testimony to the good work done in some of these provinces.

If the analysis of the situation in the Congress which I have ventured to put before you is on the whole correct and I for one cannot find any reason against it, I hold that the Right Wing of the Congress with its policy of maintaining law and order combined with its policy of progress in improvement in every department of Indian life has an undeniable claim to our loyal support. For instances of unjust treatment which are comparatively few and far between, we must hold the rank and file responsible. In a huge country like ours, these must inevitably occur and they should not be permitted to disturb our equanimity or temper or change our general attitude towards it. If our desire is to prevent the repetition of such regrettable incidents, the remedy lies in our hands. No attempt should be made from any direction either individually or through any Christian organisation to discourage those members of our community whose inclinations lead them to join the Congress openly. That seems to me the only way to influence the Congress and to help it in shaping its policy towards our community. We have been repeatedly assured that our presence in Congress ranks is more than welcome. The Congress party has guaranteed "to every citizen of India, of every caste and creed, the right of free expression of opinion, free association and combination, freedom of conscience and the right freely to profess and practise his religion subject to public order and morality. It also guarantees the protection of the culture, language and the spirit of the minorities and affirms that all citizens are equal before the law, irrespective of religion, caste, creed, sex and that no disability shall attach to any citizens by reason of his or her religion, caste, creed or sex in regard to public employment, office of power or honour and in the exercise of any trade or calling. A policy of segregation would be fatal to our interests as a community. To stand outside the Congress organisation and then to accuse it of injustice without making any effort to set matters right seems neither just nor fair. If the views I have expressed above regarding our attitude towards the Congress are accepted by the All-India Conference of Indian Christians, then it is incumbent on this body to make definite pronouncement for the information of the Congress on the one hand and for the guidance of those members of our community who wish to join the Congress on the other.

Similarly, our representatives in the different provincial legislatures should be allowed full discretion to act in ways calculated to best serve the interests of our motherland and our community and the former should always come first. Constant demands for special privileges and special facilities for our Community, requests which as any one having experience of legislation must be aware cannot, under ordinary circumstances, be granted, should not be put forward by us either individually or through our representatives. Nor can Congress be blamed if such requests are not complied with for they come not from a single but a multiplicity of quarters. It should, however, be insisted on that our representatives should raise their voice in protest whenever injustice is done to us as a community. They should be instructed to oppose separate electorates and the system of nomination, for these are calculated to perpetuate disunion amongst the different communities as well as to prevent harmony among them.

Instead of saying I am a Christian first and an Indian afterwards let us in the language of Dr. Asirvatham, our brother in faith who, I understand, is the Professor of Politics and Public Administration in the University of Madras say, "I am

both an Indian and a Christian because there is no inner contradiction between the two."

Even a cursory glance at history will show that it is a long and monotonous record of struggle between races and nationalities, religions and sects and between different schools of thought. In a less pronounced way there has been what practically amounts to warfare between trade guilds and professional unions. Probably the most recent and the cruellest of all such contests is what Marx has called "class war." Both as Christians and realists, we cannot afford to shut our eyes to the fact that there are exploiting and exploited classes leading to class antagonism all over the world. In India this has taken the form of antagonism between landlord and tenant, lender and borrower, capital and labour, employer and employee.

Christianity cannot but condemn the exploitation of man by man and of class by class. Christians must fight to protect the exploited because according to our faith the most precious things in man are his personality and his soul and these must not be degraded for purposes of exploitation. The way of escape, however, does not lie in communism. It is true there is no class war so far as labour is concerned in Soviet Russia, because communism there has assumed the form of State Capitalism. Only those professional and trade associations are permitted to exist which find the approval of the State. The charge brought by many critics against the communist State is that by perfecting a system of tyranny all its own it has gradually transformed free labour into servitude and has, therefore, become an agency for oppression and exploitation.

The proof lies in the fact that under communism, little attention is paid to the interests of the workers as individuals, all the energy being spent for the glorification of the collective. In other words, the value of the personality and soul of man is utterly lost sight of. Communism recognises no valid objections to the sacrifice of the soul and body of men for the attainment of economic prosperity. Christianity cannot agree to this.

Radically different though the ideologies of the capitalist and communist schools of political and economic thought are from the Christian point of view their ultimate effect upon the individual seems to be the same. The personality of man and his soul tend to be submerged in both these systems.

I believe the time has come when Christians as a body must pronounce their verdict on the merits of the issues involved. We should recognise no class distinction. Before our religion, man is neither a noble nor a proletarian. Reconciliation between the rich and the poor on the basis of submissiveness on the part of those who are oppressed or exploited cannot consistently be advocated by any follower of the Man of Sorrows. Humility has to be preached but not to the exploited who have tasted this bitter cup to the very dregs for centuries. If preached anywhere, it should be preached to the exploiters. Eternal life is the heritage of man, not of a class. All differences are levelled in the face of death and eternity. Only man and his rights remain and proper regard has to be paid to them.

The question we have to face is what we can do to bring about economic justice? To my mind we have to offer our loyal co-operation to that party which is consistently and continuously putting forth its best efforts for ameliorating the lot of the masses, a party the political programme of which is based on economic considerations. Let us thank God that to-day such a party has come into existence in India and that party, as we must all be aware, is the Congress Party. It is trying its best to hold the balance even between the claims of capital and labour, landlord and tenant. I honestly believe that it is the only All-India party which is in a position to implement such a programme and I commend our co-operation with it in all possible directions.

It is with considerable hesitation that I venture to offer you my remarks on the question of Federation. At Lucknow towards the end of November this year, the Congress President is reported to have stated that, "India would not accept a constitution framed by foreigners." Almost every thoughtful man feels that Federation is the only practical method for uniting the diverse and conflicting elements in the political world of India. So far as I can gather, the Congress is not opposed to the principle of Federation but only to the method proposed by the British Parliament.

Under the present scheme, the Lower House of the Federal legislature would contain 33 per cent representatives nominated by the States while the Upper

House would contain 40 per cent. There seems to be some justification for the view that there would thus come into existence a solid conservative bloc which would probably stand in the way of democratic and progressive legislation. If there is difference of opinion between the two houses or again, if there is a joint sitting, the nominees of the Princes and other unprogressive groups will easily be able to oppose successfully any popular measure. If Indian provinces want any progressive legislation, this could not be enacted without the co-operation of this conservative group. The Princes would thus be in a position to dictate the policy of British India.

The representatives of the State according to the Congress should not be nominated for the good reason that if our vast experience has taught us any lesson, it is that, with honourable exceptions which are few, nominated members insensibly tend to integrate, cohere, and form a solid conservative body which very often successfully blocks all attempts at improvement. I must confess that our experience in this direction has not always been very encouraging and I can fully sympathise with the apprehensions of those who are opposing Federation on this ground.

It is also equally true that by insisting on having elected representatives of States only in the Federal legislature, the necessity of the principle of election in the choice of representatives will have to be recognised and with it, all States whether progressive or otherwise will have made a very long step forward towards representative government. All those reasons incline me to support the Congress demand for a home-made, acceptable variety of Federation. We have already expressed our disapproval of the federal scheme as set forth in the Government of India Act of 1935 in the form of a resolution carried unanimously at our last Annual Conference held in Calcutta.

My greatest objection to separate electorates is that it prevents us from coming into close contact with the other communities. Under the guidance of our old leaders some of whom have left us, we as a community have always opposed special electorates which were forced on us against our wishes. The existing system of communal electorates has turned India into a house divided against itself. My predecessors have pointed out, year after year, to what extent our community has been a loser by the adoption of this system of separate electorates. I think it desirable that we should go on appealing repeatedly to the leaders of all communities to put forth strenuous and united efforts to remove this blot on the fair name of our country at the very next opportunity. I was more than gratified to find that last year we informed the Indian public through one of our resolutions, our sentiments on this very important matter.

Everyone will agree with me when I say that to-day we are living in an age of power politics—a fact referred to recently by Pandit Jawaharlal Nehru when he drew the attention of his audience to “the fatal game that Japan is playing to-day and the hell which the Nazis and Fascists are trying to create in Europe.” Whatever our opinion regarding the Japanese, the Fascists and the Nazis, there is no doubt that they are working in close co-operation with one another for the attainment of common ends. The psychology of all the three powers is the same. They believe in war and the threat of war as the most successful means for realising their ambitions. Their past record clearly reveals the fact that the political and economic freedom of other nations and specially of weaker nations, finds no place in their code of national morality. We have already made appreciable progress in our march to freedom. India's problem is how to preserve herself from dismemberment and slavery so that she might go on her way uninterruptedly, for which, we have to remain inside the British Commonwealth.

The gravity of the international situation should, in my opinion, have the effect of binding us closer to Britain. The imperialism of the old type against which political India had raised its voice is quite different from the imperialism embodied in the British commonwealth of to-day. Brute force is something to be reckoned with in these days of totalitarianism and we should throw all our weight on the side of maintaining Indian co-operation with Great Britain on an equal footing, the realisation of which may take some time. Let us by all means secure as much freedom as we can, but let us not forget for one moment, the risks to which we shall be exposed from aggressive nations, the moment we cut off our connection with Great Britain. Our aim should be copartnership with, and not complete severance from, Great Britain at this stage.

Probably the worst feature in Indian political life to-day is the gradually growing spirit of communalism. In my visits to the rural areas of Bengal, I have been grieved to see in one and the same village a Government aided Primary school, a Hindu Pathshala, a Muslim Muktab and, in some places, even a Primary school for children belonging to the backward communities. So far as the securing of posts under Government is concerned, there has been, what I would venture to call, a division of spoils according to communal strength. To such an extent has this gone that the question of the efficient discharge of duties which alone can ensure success in administration, has receded into the background. I am of opinion that the bitterness which prevails to-day is often due to nothing but ignorance and prejudice for the removal of which there is only one remedy, namely, education under proper conditions.

Expenditure on education is now controlled by public opinion. At present, want of education and political foresight are often responsible for the establishment of communal institutions. Centres of education with a broad and liberal outlook, simply because they are not maintained on communal lines, often go without financial support or receive it inadequately and yet these are exactly the institutions which should, under a better state of things, receive Government patronage. As soon as any attempt to guide educational policy in the interests of the country as a whole is made, it is nearly always stultified by those whose interest it is to maintain their hold on the ignorant masses by an appeal to communal prejudices. Schools and colleges instead of being used as a training ground for a future united India are thus turned into a battlefield where communal issues are decided.

Standing outside these conflicting interests, Christian institutions are practically free from communal control as exercised through reactionary agencies. Communal considerations play no part in the framing of their educational policy. Here young people of all communities have an opportunity of meeting one another in an atmosphere of reason and good will, of understanding each other's point of view, of learning the lesson of toleration and, most important of all, the moral obligation to recognise the claims of an individual or a community which for reasons beyond its control, is not in a position to demand its dues with sufficient vociferousness and to draw attention to and obtain redress for its just grievances. This service has been rendered to Greater India ever since Christian institutions were brought into existence. As days go on, their control is passing more and more from the hands of our foreign friends into those of Indian Christians. Let us see that we maintain fully and if possible in a better manner, the great tradition we have inherited from our worthy predecessors in this field of work. To do this we should in filling up vacancies on their staff, always try to secure the services of men and women not because they are Christians but because they are efficient.

In India, certain groups have been recognised as minority communities and their interests have been sought to be safeguarded by legislation. We are one of the smallest among them. Yet by reason of our comparatively high average education and by the synthesis we have established between the culture of the West and the East and which, though admittedly defective, is still more satisfactory than what is observable among other communities, we are qualified to occupy the position of natural leaders of Indian minority communities. This position of leadership is ours if only we put forth our hands and seize what, for all practical purposes, is within our grasp. We have, however, no moral right to attempt to occupy this coveted position unless and until we are prepared to offer other minorities the necessary leadership which, as I understand it, includes among others the following very essential thing.

We have to show by our example that we are really desirous of so comporting ourselves as to make the gradual emergence of a united India a possibility. We have to give up of our own accord all claims to preferential treatment as a minority, that is to say, as a weak and helpless community as the only means of preserving our separate entity. In other words we have to merge our interests in the larger interests of India as a whole. We have to demonstrate by our actions that we have such confidence in the sense of justice of our countrymen that we refuse the special protection offered by our rulers that in order to occupy our rightful position we rely solely on our efficiency. It is more than possible. I am prepared to go so far as to admit that it is inevitable that at the beginning as a community we may meet with injustice in certain matters. It would be our duty in such circumstances to fight with the selfish majority communities but in all such cases we should fight our

battles ourselves and not call in the help of outsiders. Some one must pay the price which as I have just suggested may be a stiff one, for unity and what is more natural than that this price should be paid by the community which seeks leadership. This much coveted position carries along with it unpleasant duties and heavy responsibilities which have to be discharged. As leaders of the minority communities, we should remember that there can be no real unity in a mechanical mixture of elements as we find among the different races and religions of India to-day. Such unity may only be looked for in what may be called a chemical compound the composition of which is necessarily homogeneous. For real unity among diverse elements and conflicting interests the one thing necessary is that all minority communities including ours should be absorbed by and made an integral part of the Indian nation so as to form a homogeneous whole. We should realise the fact that the temptation to maintain independent existence is not calculated to ensure either lasting peace or thorough union and knowing this to be so—are we prepared to be the first to undergo this experience of absorption which let me warn you in advance is not likely to be a pleasant one?

Let us face this question honestly and then decide whether we are prepared to immolate our interests at the altar of unselfish service to our country. By doing so we shall set an enviable example to all other minorities and demonstrate our fitness to occupy the position of leaders in matters political in the communal minded India of to-day. Are we prepared to accept this challenge ourselves and in behalf of the province we are representing here to-day?

### Resolutions—Second Day—Madras—31st. December 1938

#### OBJECT OF THE CONFERENCE

After passing a condolence resolution, the Conference passed the following resolution at its adjourned meeting to-day. Mr. B. L. Rallia Ram moved the following resolution :—

“Whereas it is desirable that the objects and purposes of the All-India Conference of Indian Christians, and its related Indian Christian Associations should be made clear with a view to remove misunderstanding and confusion ;

“It is hereby resolved that, in the opinion of the Conference, the following statement accurately states its position : (1) The Conference is not an organisation, pledged to a policy of communalism, but, on the other hand, it desires to throw its influence, on the side of eradication of all forms of communalism. (2) The Conference is not a separate political party. It does not wish to advocate the formation of a separate political party of Christians in India, leaves its members free to join the various political parties in India, according to their individual convictions, exercising their influence within these parties. (3) The Conference recognises, however, that Indian Christians are given a separate position in the Constitution of India as a minority group. This and other circumstances have unfortunately made it a separate social and economic entity.

“This Conference is, therefore, primarily concerned :—(a) To see that Christian citizens are not debarred, or restrained, from having their due share in the service of India in all spheres of life on account of their Faith and as a minority group. (b) To strive to improve the economic and social status of Christians and (c) To inculcate in them an abiding love for their Motherland and a determination to serve her, uplift her, and to join with their countrymen in making her free and great.”

#### SUPPORT FOR PROHIBITION

Bishop Tarefdar moved the following resolution : “This Conference, once more, expresses its complete agreement with the policy of introducing Prohibition adopted by several Provincial Governments. A demand has been made in some Christian circles that the use of the fermented wine for sacramental purpose should be exempted from the operations of the Prohibition Acts, by statutory provisions. After careful enquiry this Conference declares that a large majority of Protestant opinion in the country is fully satisfied with the declared policy and established practice of the Provincial Governments, whereby free licence or authority is given to the clergymen for use of fermented wine in those Churches where custom or religious conviction so require.”

#### CONTACT WITH CONGRESS HIGH COMMAND

The General Secretary, Mr. B. L. Rallia Ram, brought to the notice of the Conference that there was a general feeling among the Indian Christian

community that the Conference should take steps to be in touch with the Congress High Command, so that the general grievances of the community might be redressed. He said that this subject had been raised by one of the Provincial Associations and also by a member in a letter to him. He suggested that the Conference might consider the question and a definite resolution passed. An informal discussion ensued in which several delegates participated. The following resolution was then adopted :—

"This Conference resolves to appoint a committee of five to discuss with the Congress High Command and other parties in power in the provinces, if and when, in the judgment of the Executive Committee of the Conference, it is necessary, in the interests of the community, to negotiate on an all-India basis.

The following were elected as members of the Committee : Dr. H. C. Mukherjee, Messrs. B. L. Rallia Ram, J. S. Malcu of Bombay, D. S. Ramachandra Rao of Bangalore and Prof. Ahmed Shah of Lucknow.

#### REMOVAL OF ILLITERACY

Dr. C. J. Chakko (the Punjab) moved the following resolution :

(a) In the opinion of this Conference, the removal of illiteracy is one of the most urgent and pressing problems of the Indian Nation.

(b) The steps, however, taken, so far, are wholly inadequate to remedy the situation. It therefore urges all Provincial Governments to take immediate and effective measures to meet this need.

(c) In this connection, the attention of the country is drawn to the promotion of literacy amongst adults through such methods as those of Dr. Labauch and others.

(d) The Conference respectfully suggests that the adoption of the Roman alphabet will remove many difficulties and it earnestly requests the leader of the Nation to consider this proposal dispassionately in the larger interests of the country.

(e) The Conference in particular calls upon the Provincial Indian Christian Associations as well as Church organisations to engage in an intensive campaign to make the Indian Church literate. The adoption of Roman script for this purpose is earnestly recommended.

Mr. S. E. Runganathan suggested that the resolution might be split up into two sections, one relating to the removal of illiteracy and the other to the Roman script. The introduction of the Roman script would lead to great controversies. He moved that clause (d) and the second sentence of clause (e) be deleted.

The amended resolution was adopted unanimously.

#### COMMUNAL PROBLEM

Rev. A. M. Dalaya of Peshawar moved the following resolution :—

"This Conference deeply regrets that no solution has yet been found for communal divergences. It humbly and respectfully urges the leaders of the Nation to renew their efforts towards a just settlement in the larger interests of the country. For its own part as a small, but otherwise important minority in India, it is prepared to accept joint electorates with or without reservation of seats, as may be decided upon for India as a whole.

#### DEMAND TO AMEND MARRIAGE ACT

Mr. Balasinga Satya Nadar moved the following resolution : "This Conference draws the attention of the Government of India to the necessity of amending the Indian Christian Marriage Act of 1872, in order to remedy the defects revealed in its application, since its enactment, and to make it more suitable to the present condition of the Christian community and authorises the General Secretary of the Conference in co-operation with the National Christian Council to approach the Government of India on the subject. The Conference further empowers a committee consisting of Rai A. C. Mukerji, Mr. S. C. Mukerji, Mr. P. Chenchiah, Mr. P. Ponniah, Mr. S. Balasingam Satya and Mr. Suryavamushi and the General Secretary with power to co-opt to formulate a draft Bill amending the Act, to submit it to the Provincial Indian Christian Associations for their opinion, in co-operation with the National Christian Council to determine its final form and join the National Christian Council in pressing the Government of India to promote an amending

Bill in the Central Legislature as a Government measure or if the Government so advises, to take steps to have it introduced as private."

#### RURAL CHRISTIAN COMMUNITIES

Mr. *Zacharias* next moved the following resolution :—

"The Conference has heard with deep regret that in some parts of India, rural Christian communities are being subjected to iniquitable treatment or are deprived of rights and privileges to which they are entitled. It calls upon all provincial and affiliated Associations to exercise special vigilance in this direction and to make a thorough-going study of disabilities of Indian Christians. The results of their investigations should be formulated into a statement and sent to the General Secretary of the All-India Indian Christians, not later than 30th. October, 1939, and a consolidated report on the subject be represented to the Conference for discussion and determination of steps necessary to remedy the situation.

#### CONSTITUTION OF CHRISTIAN FEDERATION

A resolution was adopted approving the proposal for the appointment of a joint committee of Roman Catholics and Protestants to deal with such matters as were common to the Christian community as a whole.

The Conference also decided to abandon the proposal to enlist members directly to the All-India Conference, which would continue to be a Federation of Indian Christian Associations but with freedom to co-opt a limited number of members, in accordance with the constitution. The Conference, however, urged upon the affiliated associations, the adoption of a four-anna membership, with a view to establishing wider contact with the Christian community.

The Conference accepted the invitation to hold its next session at Hyderabad in 1939 and then terminated.

## The All India Women's Conference

### Thirteenth Session—New Delhi—28th December 1938

The thirteenth Session of the All India Women's Conference was held at New Delhi on the 28th December 1938, under the presidency of *Rani Lakshmi Bai Rajwade*. In the course of the address the Rani said that the programme of constructive politics should be such as to meet the criticism of Mr. Jawaharlal Nehru that the Conference was a wholly bourgeois organisation. She accepted the criticism in so far as it meant that the Conference was not making any marked effort to serve or to come into vital contact with the real mass of Indian women. The Rani observed, "You and I will gladly agree with Pandit Nehru's claim that the present awakening among women is due more to what the Congress has been doing than to our Conference. Naturally the woman in the house is the first to be aroused in an earthquake because she has the most precious burdens to rescue. We owe a debt of gratitude to the Congress for these peaceful earthquakes and the consequent entry of women into the highest positions in public life."

"But Pandit Nehru was not so realistic or so fair when he suggested that whatever work this organisation had done was vitiated by the fact that it is a bourgeois body. The Congress has been, and still largely is, predominantly bourgeois in composition—even after fifty years of incessant work."

Though "indirect action" was useful and necessary, the Rani said, they could not secure their rightful place by the work of institutions like the Congress until their work became more direct, more fundamental and more strenuous.

In order to achieve this end, the Rani advised the Conference firstly to widen the basis of its constitution so as to include, along with other reconstructive activities for women and children, political activities of a non-party and constructive nature.

A clear declaration of their unity with many of the political parties in India regarding the accepted goal of independence for India should be made forthwith. Although this would be a mere declaration of political faith, it would have an immense effect on the prestige of the Association. Secondly, this declaration should be supplemented by a national effort to explain to Indian women, wherever their organisation could reach them, why and how far the form of Government affected their lives, why the present form of government was unsatisfactory, how little had been given to them, how much remained to be taken and how the average women could help in the taking of it. Thirdly, as part of an adult education scheme and as part of the work of their Conference a programme of general political education of women must be undertaken. They should be made familiar with democratic forms and the duties and responsibilities of women in a democratic state. Again, the Conference could sponsor vigorously the Swadeshi movement so that women would come to realise the economic needs of the country. Finally, the Conference might impress upon its members and on other women the importance of making use of the vote towards the attainment of political freedom. These were some of the ways, said the Rani, in which the phrase Constructive Politics might be translated into practice. She declared herself totally against the idea of a women's party in the country. She thought that there was no necessity for such a party. So long as the question of Indian Independence was not settled it was the duty of women to subordinate their sectional interests to the larger interests in which surely they were in complete unity with the men of India.

The Rani thought that the Conference as a body should for some time to come remain aloof from the disconcerting hurly-burly of party politics, thought individual members of the Conference were free to participate even in party politics. She admitted that as they had actually been doing some political work even with the present constitution of the Conference there was no reason why they could not go on doing so without broadening the constitution. But she thought that the present constitution stood in the way of a sufficiently large number of politically minded workers joining their Conference. She added that the fear that if they so expanded the constitution their States' branches or constituencies would hesitate to continue their connection with the body was wholly baseless. The Dewan of a great South Indian State had assured them that women in the States need not be afraid of so expanding their organisation as to include purely constructive political activities.

That assurance should finally answer all fears on behalf of its States' branches. Rani Rajwade said that every State unit was free to develop whatever form of Government that suited it. Whatever the form they were agitating for, she declared these States' units surely had the right to expect some expression of sympathy from the Conference in this matter.

In the field of education too the Rani felt they should undertake some concrete work on a large scale. She said that young people especially women should be invited—even morally compelled—to put in at least a year's service in literacy work either in cities or in villages after the completion of their school or university course. One could cite the example of China where the literacy drive was enthusiastically helped by bands of young women. So far as girls' education was concerned, the Rani suggested that a committee of expert men and women be appointed under the aegis of this Conference to survey the existing curricula for girls' education and to draw up standard curricula for the primary, secondary and higher stages answering the needs of Indian girls.

In drawing up these curricula, the Rani said, they should bear in mind the pointless and excessive Westernisation which had attacked the outlook, tastes, mental and physical habits, dress, manners, arts, etc., of several generations of men and women among the middle and higher classes. It was a thing which was undermining the homogeneity of Indian life very rapidly and was not wholly profitable.

Referring to the need for having well-trained teachers, the Rani suggested that widows who for one reason or another must seek some occupation would do well to adopt this noble work for their own. Also, for those married and unmarried women, who had leisure and comparative economic assurance and freedom, it should be possible to volunteer for this work.

The Rani proceeded to refer to the vaster work of rural reconstruction, of which education was a part. India lived mostly in the villages and the life that it lived there was fettered and barren and only fitfully happy. But hardly any one of the town-dwellers could do any effective work in that direction. For these, she prescribed an equally important task—the uplift of slum women.

Referring to the social reform, the President pointed out that legislation in social matters aroused too much bitterness to make it always worth while. The most effective weapon was voluntary and propagandist effort. The Conference should nevertheless struggle hard to remove women's legal disabilities. She suggested the formation of a committee of legal experts to go into this question and to prepare a comprehensive draft of amendments, embodying the removal of those disabilities.

The Rani concluded by saying that despite adverse criticisms about Indians being other-worldly, she would emphatically say that mankind did not live by bread alone. By all means, let them bring bread, light and air to those that needed it. But as Indians, as women, as human beings let them also remember that in spite of all their monstrous social injustice and in spite of so much fake spirituality their land had always essentially been a land of seers and sages. They should remember that abiding strength and freedom and happiness came ultimately out of the spirit—not out of their possessions. "We shall strike at poverty and social evil. But we shall do so with a full and sleepless realisation that we do it so that beauty shall come in and the spirit become free."

### Resolutions—2nd. Day—New Delhi—29th. Dec. 1938

#### FAITH IN NON-VIOLENCE

The All-India Womens Conference met again on the next day, the 29th, December.

The hon. *Mrs. Vijaya Laxmi Pandit* moving the resolution on "War" said that some among the audience might be wondering why the Conference was attempting to define the attitude of Indian women to a future war. It was true, she said, that they in India were not in immediate danger of war but modern science had annihilated distance and had brought about a world unity. Whatever happened, say in China, had repercussions all over the world including India. Moreover, they in India, had another sort of war, which had been in progress for many years, a war to win their freedom, a war to free India from a dwarfing of the soul of the people. The latest weapon they had successfully used in this war had been the weapon of non-violence. In this regard therefore India had a definite message for the whole world.

Proceeding, *Mrs. Pandit* said that the world to-day was a battle ground of two sets of forces—the forces of reaction and oppression and the forces of freedom, justice and fair play—and they in India had to decide which side to take in this war of ideas and ideals. The question concerned womanhood as a whole. For it was very likely that those forces of oppression which were so prominent in the Far East, the Near East and in Europe might bring further misery and oppression for them in India too. *Mrs. Pandit* referred to her recent visit to Europe and said that she had witnessed real panic in London which was due to the fear of war. And she had seen British people genuinely relieved when they were told that Mr. Chamberlain had succeeded in averting war. The moral for them was that a Great Power did not honour its obligations towards a weaker state when there was a real threat of war.

*Mrs. Pandit*, analysing the present malady in the West, said that it was the greed for power and possession that had brought the world to its present state of unrest. They alone in India with their past traditions and background were in a position to re-establish faith in justice and equity. The women of India could make a stand and create a world "united front" for liberty. They in India had set their faith on non-violence and the latest example of success achieved by this creed was Rajkot. Non-violence was not pacifism and she had no doubt that the women of India would to-day send out a message to the oppressed nations of the world, which would bring them hope and faith in justice and equity.

*Rajkumari Amrit Kaur*, seconding the resolution, said that the women of India should not think in the narrow terms of their country alone, but also of the contribution they were going to make to bring about a new order of things in the world. The old slogan of a 'war to end war' had proved a failure and they should not only adopt the resolution urging non-co-operation with any war in the future, but also devise practical schemes to put that resolution into practice. In her opinion, the Conference should set up a World Committee to educate public opinion in its favour. Furthermore they should tell their Governments that they should not look to them for any support in the event of a war even in the field of human activities. If the women of every country successfully impressed upon their Governments what they would do in the event of war, she was sure, there was

every chance of ending war and bringing about a new order of justice and equity in the world. Women had great power, but the pity was that they had not so far realised it.

*Begum Hamid Ali* further supporting the resolution urged that women should boycott the goods of an aggressor country.

*Miss Dingman*, President of the Women's International League for Peace and Disarmament, associating herself with the resolution said that women in India could not realise how much this resolution meant for them. She believed that India had achieved a great deal through non-violence and she appealed to them to give a lead to the rest of the world.

The resolution was further supported by *Mrs. Ferozuddin* and passed unanimously.

The Conference devoted the rest of its sitting mainly to the adoption of the reports of its Secretary, Treasurer and the Sub-Committee set up last year. It also listened to the Secretaries of its various Provincial Committees, giving an account of their activities during the year. One interesting report was from Assam where the ladies of the branch association visited women in jail. Another interesting account was from *Mrs. Brijlal Nehru* in regard to work amongst the Harijaos. *Begum Hamid Ali* told the Conference what the women in India had done during the year to combat the sale of opium in the country. *Mrs. Doctors* gave an account of the work of the Women's Disabilities Committee and said that the Divorce Bill, if passed, would remove a great disability from which Hindu women were suffering. *Mrs. Asaf Ali* reported to the Conference what its Legislative Committee had done during the year.

*Mr. C. F. Andrews*, addressing the Conference in the afternoon, urged three things. Firstly he wanted the Conference to send a deputation to their Excellencies the Viceroy and Lady Lidlithgow requesting them to prevent any more Indians from abroad being repatriated to India. He said that the condition of 1,000 Indians who had recently been repatriated from British Guiana was unspeakable. Secondly, *Mr. Andrews* wanted the Conference to send out a teacher to train women teachers particularly in British Guiana, and thirdly he urged that they should create an Overseas Department within the Conference and to appoint one or two liaison officers to remain in touch with him. He also pleaded for Jews and asked the Conference to express every sympathy with them.

*Rajkumari Amrit Kaur* felt that there would not be much difficulty in giving effect to *Mr. Andrews'* suggestions.

The Conference then passed resolutions, mourning the death of *Kamal Atatürk*, *Sir Mahomed Iqbal*, *Maulana Shaukat Ali*, *Mahatma Hansraj* and *Begum Ansari*, also expressing gratitude to the Bombay Government for recognising the *Thackersey Indian Women's University* and urging other Provincial Governments to grant similar recognition. The conference thereafter set up six groups to frame resolutions which were taken into consideration on January 1.

### Resolutions—3rd. Day—New Delhi—1st. January 1939

#### WOMEN TO DISCUSS POLITICS

An important change in its constitution so as to permit the discussion of political questions was made by the All-India Women's Conference before it concluded its 13th session to-day.

The proposal for a change from its policy of non-participation in political discussions had been before the Conference in its earlier sessions; but the strong lead in favour of it, given in her opening address by the President, *Rani Lakshmi Bai Rajwade*, apparently influenced the decision this year.

The session was also notable for a lead in favour of sex education for the young; for what has been described as a Socialistic declaration that Labour must be recognised as part-owner in industry along with Capital, and for a strong denunciation of war and determination not to assist or take part in it even by way of nursing or other humane activities.

The draft resolution on political discussions, as adopted by the Standing Committee of the Conference, was definite in its terms but when it came before the open session, it met with opposition from a number of delegates, including *Begum Aizaz Rasul*, *Miss Bahadurji Billimoria*, *Mrs. Doctor* and *Miss Ferozuddin* who pointed out that the inclusion of political questions on the agenda would lead to dissensions and retard progress in other important matters.

The debate on the resolution occupied the whole of the morning's sitting and the Conference finally accepted an amendment moved by Miss L. Naidu, laying down: "The Association shall be free to discuss and contribute to all questions and matters affecting the welfare of the people of India, with particular reference to women and children."

The speeches made in favour of the amendment made it clear that the Conference would be allowed to discuss politics.

The Conference, by another resolution, urged that nursery schools should be started as early as possible both in urban and rural areas as it was convinced that habits, a sense of discipline, elementary reading and writing and sensory training, if imparted properly to young children, would turn them into good material for primary schools and fit them for real service to the country.

#### SEX EDUCATION FOR CHILDREN

The Conference expressed the opinion that sex education should be given from the child's earliest years by means of simple talks on plant life and elementary physiology. Later, definite instruction should be given by trained people to boys and girls at the high school stage and also to college students and it should be compulsory in training colleges. Marriage hygiene clinics should be established to give advice to married couples and to help parents to give proper sex education to their children. Group meetings of fathers and mothers separately may be arranged in connection with schools where men and women doctors or other experts may give instruction.

Educative propaganda was urged by means of a further resolution on the use of hand-pounded rice, raw sugar and hand ground wheat with a view to solving the problem of nutrition. The Conference suggested to district and local authorities to render help by making available to the public these articles, both in urban and rural areas, where machinery has crept in.

#### RIGHT OF DIVORCE FOR WOMEN

The Conference recommended that the clause relating to dissolution of marriage in Mrs. Subbaroyan's Bill be incorporated in Dr. Deshmukh's Bill on divorce and that a Joint Select Committee of both House of the Central Legislature be set up with Mrs. Subbaroyan as a member to examine Dr. Deshmukh's Bill and Seth Govindlal Shival Motilal's Bills on monogamy. The Conference gave support to the principle of Dr. Kazmi's Bill for the dissolution of Muslim marriages as also the Bills on similar lines pending before the Legislatures of Bihar, Sind and the United Provinces.

The Conference also reiterated its demand that the Government of India should appoint a committee of expert lawyers, with an adequate number of women on it, to examine the whole question of the legal disabilities of Indian women.

The Conference endorsed its earlier anti-war resolution and recorded its strong protest against the Army Recruitment Bill passed by the Central Assembly.

On the question of traffic in women and children, the Conference asked all Provincial Governments to follow the lead given by the Madras Government in the appointment of a Provincial Women's Welfare Worker. It urged upon the authorities to appoint special women officers at railway stations, lock-ups, prisons, etc., and asked the constituent bodies of the Conference to make efforts to break down the existing prejudices against the women who have been forced to live a life of shame and are desirous of leading an honourable life.

#### RESOLUTION ON LABOUR

A comprehensive resolution was finally passed, declaring that the considered policy of the Conference was that labour must be recognised as part-owner in industry along with capital and that as a step towards the attainment of this ideal closer co-operation between Labour and Capital must be established. The Conference advocated the fixing of a minimum living wage and social insurance; and directed its Labour Committee to undertake a survey of the conditions of child labour and woman labour in unregulated industries and workshops.

# The Land-holders' Conferences

## The All-India Land-holders' Conference

The first session of the All-India Land-holders' Conference was held at Darbhanga on the 10th. December 1938 under the presidency of the *Maharaja of Mymensingh*, who said that the time was ripe for them to unite and chalk out a plan of action for safeguarding their interests.

An All-India Landlords' Federation was formed at the Conference which was largely attended by big zemindars from Bengal, Bihar and the United Provinces.

His Highness the *Maharajadhiraja of Darbhanga*, in opening the Conference said :—

"I have been watching with deep concern the onslaughts that are being made on the landlords in every part of the country and I thought that it was a matter of paramount importance for the landholders to decide, and decide at once, how they should act in the present situation. But before having a representative gathering, I considered it necessary that there should be a free and frank exchange of views among some of my friends so that we may have a definite plan of action and if the idea of an All-India Conference finds favour, to settle its preliminaries.

More than once I have expressed my views and sentiments on problems affecting the landlords and I am pained to find that my apprehensions are coming true and we are too slow to respond to the needs of the situation. True, rude shakings have opened our eyes ; but we are not yet on our legs. I do not think that it is necessary for me to tell you about the humiliation and the suffering to which the landlords throughout the country are being subjected. You know it too well. We have, therefore, to ask ourselves one simple question, namely, 'How are we going to end them ?'

I think that we have only two alternatives before us. Either we should sink our differences, unite and work together not only for the preservation of the Zemindary system but also for making the system an integral part of the body-politic of the country, or we should once for all give up the idea for any common action, bid goodbye to the Zemindaries and do what each one of us thinks good for himself. We have no time to brood over our lot and meet our end before we realise that it has come. If we decide to exist as a class we must, without any further loss of time, apply ourselves to our task with courage and determination. But if we choose the other alternative there is hardly any justification for us to meet and waste our time and energy in composing our elegy. Certainly, this alternative presupposes despair, inaction and discomfiture in the struggle of life and leaves nothing to be done. I am, therefore, addressing you on the assumption that your choice will fall on the first alternative.

The two essentials for an organisation are 'men and money'. We will achieve success in the same measure in which we will get them. About 'men' let me tell you that the backbone of the Zemindary system are the Zemindars with small income. Individually, they cannot do much. But, collectively, they can be a tremendous power. I hope that in every province there will be found sufficient number of landholders to go from door to door, make these small Zemindars alive to the gravity of the situation, inspire among them the confidence that they will be helped and guided by their organisations and secure their co-operation. When that will be done we will be well on the way. Now as far as money is concerned we can hope to get it only if we look upon our contribution to our organisations as insurance premia. It is neither charity nor club subscription. We and specially those of us who have large incomes, should make up our minds about spending money in a way that may secure our position in life. Unfortunately, the present economic condition of the Zemindars in general is far from satisfactory. Still by receiving our budgets and judiciously regulating our expenditure we can contribute substantially to our Provincial organisations and save for the rainy season.

Certainly, this will involve a radical change in our old practices but there is no escape from it. We must change with time. I have no doubt in my mind that even if only a few leading landlords in each province throw themselves heart and soul in the work of organising their class, and work with a common object and in full co-operation with one another, we shall in a few months make ourselves strong enough to be heard with respect. I am aware of the fact that attempts are being made to divide the ranks of the Zemindars by exaggerating the differences between those who have big income and those who have small income. Such an attempt is, if I may say so, bound to lead the entire class of Zemindars to their doom. By this method

we shall not be able to utilise the entire resources of our class and 'men and money,' a combination of which can work wonders in the organisation, will drift apart and although very valuable in their own way can produce no result for the object which is common to every description of Zemindars. But I am sure that such an attempt will miserably fall soon after we will take up the work seriously in hand because, I cannot imagine that our brother landlords will be so impolitic as to ignore this aspect of the question. Although there may be divergent opinions regarding details, I cannot comprehend that there is room for any difference of opinion among landlords' so far as their larger interests are concerned, and I expect that our brother landlords will not allow that large interest to suffer on account of their concern for individual or minor matters.

I must also tell you that there are two enemies which we should stoutly oppose.

I mean the 'reactionaries' and the revolutionaries. I have always believed in the process of evolution which in another word means ordered progress. Our position in the country has considerably suffered because we are believed to be reactionaries and we have not taken sufficient pains to disabuse the public mind of this wrong belief. Any impartial person who cares to know about the contribution so far made by the landlords towards the progress of the country will of course find out that the charge made against this class of being reactionaries is as baseless as it is mischievous. But where the landlords erred was that they remained indifferent to the malicious propaganda that was carried on against them. The weakness of their organisation and their dependence on the Government for their protection were largely responsible for such an impression. But we have learnt the lesson to our cost and it is time now for us to steer clear of reactionaries and by an organised effort to help every progressive and lawful activities in the country. We have before us the instances of the French and the English nobility. Whereas as the former came to an end with the fall of a reactionary monarchy the latter has not only been able to keep monarchy as a vital force in the progressive march of the country but also as a distinctive place for itself in its governance.

We see now that ever since the establishment of the Congress Government the Congress party has been divided into the 'Right' and 'Left' wings and their outlooks are fundamentally different. It has been my experience that whereas the former has been always ready to take a reasonable view of things and eager to have the co-operation of every class and community in its programme of national service, the latter has been attempting to make a Russia of India and ruthlessly destroy all that have been taken centuries to grow; and that for an uncertain future. They are openly fomenting class hatred, violence and disobedience to law. They are working amongst our tenants and aggravating agrarian unrest. This certainly is a great menace to us.

It is our duty to strengthen the hands of the Government in counteracting this mischievous move and do our best to co-operate with those who have made no secret of their disapproval of the violent and revolutionary methods. I think you will agree with me that the best policy for us to pursue is to lend our unqualified support to every activity that may bring about all-round economic and political progress and resist all the forces that are calculated to create a cleavage between the landlords, tenants and the agricultural labour. My own view has always been that in this country the greatest industry is agriculture and that can thrive only if all the three classes I have mentioned work in harmony for the improvement of land. It is high time that the tenants be told how they are being misled and what misery awaits them under the leadership of these revolutionaries. We have now a democratic form of Government. It will be an evil day if it degenerates into dictatorship if it is allowed to be tyrannical. Although there is the rule of majority, the success of this form of Government lies in reconciling the various interests that constitute a nation. It must bring out by correct leadership what is best in individuals and not trust what the leader considers best for them. In this way, and this way alone, the Nation can attain greatness and I hope that our country will assimilate this spirit of democracy. The class to which we belong is in minority, but this minority is allowed to grow as freely as any other class will, I am sure, always be an asset to the country.

Under the present constitution matters directly affecting Zemindaries are Provincial subjects and as such the provincial organisations are the most important units. They must be to a great extent autonomous as they shall have to regulate their activities according to the different conditions prevailing in different provinces. But all the

same, the necessity of an All-India Federation of Landholders has been largely recognised. The representatives of the various provinces to that All-India body will not only deliberate on matters affecting the landholders of the country as a whole, will not only co-ordinate the activities of the various provinces but also give a provincial organisation the feelings that in the event of doubts and difficulties they can receive advice, guidance and support from the land-holders of the whole of the country.

### The Agra Zamindars' Conference

A very successful meeting of the zamindars of Agra was held at Agra on the **3rd July, 1938** in the hall of the Balwant Rajput Intermediate College. It was attended, amongst others, by Rao Maharajsingh of Kasganj, Kunwar Lakshmi Raj Singh of Gabhana, the Raja of Tirwa, the Nawab Saheb of Chatari, the Raja of Sarnav, Captain Rao Krishnapal Singh, the Raja of Bhadwar, Rai Girendra Narain of Saket, Mr. Ram Chandra Gupta, M. L. C., the Kunwar Saheb of Birpura, the Thakur Saheb of Labhowa, Mr. Govind Das Bhargava, and Nawab Sir Mohammad Yusuf. Besides the resolution forming a local district association of the zamindars, thirty resolutions were passed. It was evident that the new U. P. Tenancy Bill had made the zamindars of all shades of opinion and grades very uneasy and apprehensive.

#### CHAIRMAN'S ADDRESS

*Thakur Yashpal Singh* of Jarar, in the course of his short and sweet address as chairman of the reception committee, said that the grave injustice which was being inflicted on the zamindars of the province at the present time in the name of the service of the Motherland was without a precedent and that such an injustice in the name of justice and fairplay was hardly heard of before. In the new Tenancy Bill the Congress Government is not only treating the zamindars unjustly but is trying to crush them. Their elementary rights and privileges are not to be recognized. In fact, according to the new tenancy law, they will remain owners of their land only in name, while others will acquire all sorts of rights in respect of the same. The zamindar will become helpless and his only function will be to pay the revenue. He protested against the virtual extinction of 'Sir' and new but iniquitous proposals with regard to restraint, ejectment and realization of rent, which will be impossible to recover and the revenue will have to be paid all the same in full and at the proper time. There have been some satisfaction if the revenue were based on the actual rents realized by the zamindars. It is the limit of high-handedness that the holdings are proposed to be auctioned to satisfy arrears of rent. He wondered, if the tenants of houses in urban areas also would be granted similar rights. He failed to understand if there could be greater high-handedness than that the zamindars should be unable to exercise their right of ownership in their land and recover their dues. The new act will increase litigation and accentuate differences between the zamindars and the tenants and keep them at logger-heads. It is a mistake to believe that the smaller zamindars will benefit and have advantage in respect of revenue. Their revenue will increase and their property will soon pass out of their hands. The zamindars' position is one of grave anxiety. Unjust laws are made against them. Their tenants are misled and set against them and when they protest and raise their voice the Congress leaders threaten them with dire consequences. If they want to organize themselves a threat is held out that Congress volunteers will be let loose on them.

All this is chiefly due to the fact that the zamindars are not yet well organized. Without due organisations the very existence of the zamindars is in jeopardy. The tenants have always lived with the zamindars. They shall not be separated from the latter. Let rent and revenue be decreased. Let the canal rates and the stamp duty for the tenants be reduced, but the zamindars cannot tolerate that their tenants should be purposely misled and misguided. A check to this is only possible through the zamindars' organization.

#### PRESIDENTIAL ADDRESS

*Khan Bahadur Mohammad Obeidur Rahman Khan*, M. L. A., of Bhikampur, Aligarh was elected president. He made a very effective speech. He said that the zamindars were no less anxious than others for the welfare of the tenants but all the same it was no sin if they tried to save and protect their legitimate rights. The

bill constitutes a process of slow poisoning and the provisions relating to 'Sir' are highly detrimental and indefensible. Fortunately, there were some zamindars in the Congress ranks and he was not without hopes that they would exercise their wholesome influence on the agrarian policy of the Congress Government. The strength of the Congress was derived from its discipline and if the zamindars also could organize and discipline themselves they could grow equally strong. The present Tenancy Bill is nothing short of tyranny of the majority. The reason is, however, with the zamindars. It is a delusion that it will give any relief or advantage to the smaller zamindars, who may suffer much worse. The continuance of the arrest of the zamindars for arrears of revenue in spite of repeated protests is an act of high-handedness. The proposed percentage of land revenue is unreasonably high. The zamindar will be left with only 17 and a half percent of the income. In fact, the Tenancy Bill in its present form is a danger to the very existence of the zamindars. The very abolition of the zamindari may be preferable to the torturous provisions of the Bill. The zamindars have right to live and they only want to live with self-respect. The cry raised against them that they are the blood-suckers of the ryots and the cause of their ruin is malicious. There is no zamindar in Bardoli and yet the tenants' grievances there were the acutest. The statement that the present bad condition of the tenantry is due to the zamindar is not warranted. Are not 22 lacs of zamindars of the province entitled to be properly cared for and looked after by their Government, which is supposed to be national?

The zamindars have always liberally helped in charities and acts of public utility. The Balwant Rajput Inter College where the conference was held owed its existence to the munificence of a premier zamindar of the province. Many roads, schools, colleges and hospitals owed their existence to the zamindars. If the zamindars will be crushed, various works of public charity and utility will come to an end without any one gaining in any way. The situation is critical and requires thoughtful consideration. There had been an agitation for the reduction of canal rates but without any success. However, if the zamindars wanted to live it was necessary that they organized themselves and there was due co-operation amongst them. He was glad to observe that there was a steady awakening amongst the zamindars. If enthusiasm and spirit are combined the needed solution may soon be found. They have to show life and be prepared to make sacrifices to save their honour and property. The president was listened to with rapt attention and there were prolonged cheers at the conclusion of the speech.

#### Resolutions—Organisation of Zamindars

The following resolutions were passed at the conference :—

Resolved that this Conference is emphatically of opinion that immediate and effective steps should be taken to mobilise and organise all forces in the country, which stand for ordered progress and due maintenance of rights of private property, and that in view of the absolute failure of the present Government to protect the just and lawful rights of the zamindars, the zamindars should effectively organise themselves in order to protect their legitimate rights and prevent irresponsible persons from carrying on unfair and mischievous propaganda creating ill-feeling between them and the tenants.

#### CLASS WAR

Resolved that this Conference is in complete sympathy with all lawful and genuine efforts to improve the general, social, and economic conditions of the tenants but protests emphatically against the proposed U. P. Tenancy Bill which not only totally disregards the fundamental rights and privileges of the zamindars and agrarian economic considerations but also encourages and fosters a division amongst the zamindars as a class on the one side, and between the tenants and the zamindars on the other, and thus promotes a dangerous class-war.

#### 'Sir' RIGHTS

(a) Resolved that there should be no interference with and unjust and arbitrary encroachment on the zamindars' valuable and ancient right of 'Sir' and no hereditary right should be created for the sub-tenants of the 'Sir' which solves to a certain extent the problem of the landless residents of the villages for whom no provision has been made in the Bill, and helps the zamindars to maintain their growing families, to which right they as sons of the soils are in every way entitled.

(b) Further resolved that in bare fairness, the zamindars should retain their rights to acquire 'Sir' right in the future and land from the tenants, for planting groves and gardens and building houses; and that if necessary the restrictions laid down in sec. 4 of the Agra Tenancy Act 1926 may be retained in respect of new 'Sir' rights.

#### SUGGESTED AMENDMENTS

Resolved that under sec. 31 the daughter's son or brother's son should be a resident of the village in which the holding be situated and that under sec. 32 also the daughter's son should be a resident of the village and inasmuch as the brother is no legal heir of a widow his son should also not be granted the right of succession.

Resolved that sec. 4 (3) imposes an unjust and unnecessary restriction on a valuable civil right of the zamindars to grant a perpetual lease and should be deleted.

Resolved that sec. 79 is unjust, arbitrary and unsound and should be deleted, and that unless a fraud is established all surrenders and abandonments should be final and not liable to be questioned by heirs or successors.

Resolved that the only possible and practicable basis of rent rates has been laid down in sub-sec. (1) of sec. 105 at the end of which the following words should be added: 'due regard being had to movements in prices and rents and the letting-value of land', and that all that is laid down in sub-sec. 2 may be regarded a good piece of propaganda, but is hopelessly vague and indeterminable and will (a) lead to impossible demands, (b) raise false hopes and expectations, (c) encourage demand for cultivation of small holdings free of rent, and (d) result in needless litigation and create endless complications equally embarrassing to Government and zamindars and should, therefore, be deleted.

Resolved that in sec. 87 (2) it should be made amply clear that remission or suspension of revenue shall always be made in the same proportion in which remission or suspension of rent is granted.

Resolved that in sec. 102 (5) it should be made clear that during the currency of a settlement there should be no enhancement of revenue, and if there is any abatement of rent and assets, the revenue should be correspondingly reduced.

Resolved that part (b) of the newly proposed sec. 115 should be worded exactly as part (b) of sec. 53 of the Agra Tenancy Act 1926, and that part (d) of the whole section 53 should also be included in the newly proposed section 115.

Resolved that in fairness the import proviso to sec. 65 of the Agra Tenancy Act 1926, should be included in the newly proposed sec. 113.

Resolved that in sec. 139 of the proposed bill, sub-sec. 4 of section 137, of the Agra Tenancy Act 1926, should also be incorporated.

Resolved that in consonance with the principles on which sec. 145 of the proposed bill is based, the zamindars should also be exempted from arrest and detention for the recovery of revenue.

Resolved that the provisions relating to distraint are very cumbersome and complicated, will cause serious hardship, and should be simplified, so that the collection of arrears of rent may be easier, and that if a caretaker is not permitted to be employed and the distraint property is left in the charge of the defaulter, the purpose of distraint will generally be defeated.

Resolved that the proposed changes in the tenancy law call for corresponding changes in the revenue law also, and unless the Government bring forward their proposals of changes in the revenue law as well, it will not be fair that the tenancy legislation may be rushed through as appears to be intended at present.

Resolved that sec. 181 should be deleted because it would put a premium on default.

Resolved that under sec. 153 (3) the distraint of not less than half the produce should be permitted for more than one instalment of rent falling due.

Resolved that the grant of free rights to tenants to plant trees and groves on their holdings will prove detrimental to the holding itself and to the adjoining holdings of other tenants, and requires careful reconsideration.

Resolved that in case of ejectment it will be unfair to compel the zamindars to pay compensation for any construction which does not benefit the zamindars, or the holding.

Resolved that under section 263 delivery of the possession of the land back to the zamindars should be made mandatory because there is a general increase of lawlessness and this offence has become much too common.

Resolved that the canal rates should be halved, and the stamp duty payable by tenants should also be halved.

Resolved that sections 181, 185 and 186 will make the realisation of rents not only difficult but almost impossible, and hit the smaller zamindars very hard and even deprive them of their property, that the arrears of rent should be recoverable in all cases, as at present as soon as they fall due by ejectment or otherwise and that in fact the various legal proceedings should be expedited and on the lines of procedure in respect of suits relating to negotiable instruments, all frivolous vexatious and dilatory proceedings by defaulters, should be made impossible.

Resolved that this Conference strongly protests against the statement made by the hon. Revenue Minister and others that the zamindars are mere rent-collectors and not the owners of land, and affirms that the zamindars and no body else are the owners and proprietors of their lands.

Resolved that this Conference enters an emphatic protest against the unjust and arbitrary Stay-orders without corresponding relief in the revenue and urges the remission of the postponed rents to the tenants and refund of proportionate remission of revenue to the zamindars.

Resolved that this Conference is decidedly of opinion that the poverty of the rural population can never be removed unless effective measures are taken to tackle its root causes by :

- (1) relieving pressure on land through a carefully planned scheme of industrial development ;
- (2) organising cottage and village industries on a wide scale in order to provide additional source of income to the tenants ;
- (3) increasing the produce by developing and encouraging better farming and making the requisites for improved agriculture available more easily and cheaply ;
- (4) Attacking rural indebtedness, and providing easier and cheaper credit,
- (5) Providing extensive facilities for the better marketing of the agricultural produce and
- (6) Trying to improve the purchasing power and wealth of the people of the province.

#### PROPOSED ENHANCEMENT OF LAND REVENUE

Resolved that this Government protests strongly against the reported proposals for enhancing the land revenue which in spite of the proposed bait of rebate will adversely affect the zamindars of all grades, and the imposition of any agricultural incometax in permanently settled areas in clear violation of the definite guarantee given by the British Government to the zamindars.

Resolved that adequate penalty should be provided for false and malicious complaints under section 259.

Resolved that the reported proposal that ejectment of tenants may be permitted for arrears of not more than one year and that also by the sale of the whole or a portion of the holdings is highly unjust and detrimental to the lawful interests of the Zamindars, constitutes an unwarranted and unjustified encroachment on their elementary right of proprietorship, and should not be incorporated in the Bill.

#### MINISTERS AND TENANTS

Resolved that this Conference expresses its strong indignation against the Ministers identifying themselves with the peasants' conference and delivering anti-zamindar speeches at them and at the same time assuming the role of impartial judges in order to adjust equitably the relations between the zamindars and tenants.

### The U. P. Zamindars' Conference

The U. P. Zamindars' Conference, organized by the Allahabad District Zamindars' Sabha, opened at Allahabad on the 10th. July 1938 in the Marris Hall of the Agra Province Zamindars' Association. Capt. Rao Krishnapal Singh of Awagarh, in the course of his Presidential Address said :—

It is unfortunate that some of our friends have begun to attribute all the ills of society to the presence of the zamindars. There was however a time when this

country reached its zenith in the economic, social, political and even spiritual spheres under the influence and leadership of this class of men. Deriving their inspiration from the great sages and thinkers of their country they put into execution schemes which resulted in this country being regarded as the home of learning, of piety and of wealth in the entire world.

Although intoxicated by the attainment of sudden and unexpected strength as a result of the last elections to the provincial Assemblies the Congress has forgotten the invaluable assistance rendered by our class, it is clear as daylight that it would be shaken in its foundations if it did not have the support of some of our brethren who have placed patriotism before their interest and the interests of their class and are endeavouring to serve their country according to their convictions. The Congress is certainly taking undue advantage of their attitude and it is possible that before long these patriotic individuals—who love to stake everything for the independence of their country—may find themselves disillusioned if the trend of politics of the party to which they belong continue to drift in the direction it has been doing for sometime past. The cry of independence which was in the forefront until some years back, has now fallen into the background, having yielded place to cries of class antagonism. Some of the votaries of independence and political reform who used to be so vociferous in their demand for reduction of the cost of administration for the Indianization of the higher service, for the separation of the Executive from the Judiciary, for the reduction of Army expenditure, for the industrial development of the country and for a host of other problems which had confronted Indian politicians from the time British rule was established in the country, have now diverted their attention to the startling of intercaste trouble, and others have come up like mushrooms—drawing inspiration from foreign philosophers and economists—to lead the masses to their 'salvation' by means not mere objectionable but positively dangerous.

One is at a loss to understand now how far they are justified in preaching socialism and other political and economic theories which are as impracticable as they are dangerous to the peaceful progress of this country, when India has yet to achieve its first goal of partial or complete independence. If these new theories like socialism have not proved practicable in the materialistic countries of the West one must wonder if they can ever be found suitable to this country which has always been steeped in spiritualism and philosophy, and has always relegated mundane matters to a secondary place. India has always avoided capitalism as much as socialism. Here every individual and every group has been allotted a distinct place in society and entrusted with specific duties and privileges. It has been expected from every group and every individual—whatever be its or his position—that they have to work for the common good of society as a whole of and not for their ownself, whatever sacrifices the performance of such duty may involve. They can enjoy the privilege only so long as they perform their particular duty. Socialism can only thrive, in any of its varied forms, where individuals or groups of them work with an entirely selfish motive. The idea of property in our country has always been cherished on the basis of service to the entire community. Therefore, property here is meant not for the enjoyment of one individual but for the support of a joint family and those who have to render various social and religious services to it. The heads of families owning most of the big estates, be they proprietors or managers, have not the absolute right of alienation and transfer, and so long as they administer property they have to pay due regard—subject to local practice and custom—to the interests of all who helped them and their ancestors to acquire the property and who serve its owners and shares in profit in different capacities. This in itself is a kind of socialism which, while respecting the rights of ownership of individuals enjoins on them the duty to support all those who have a claim on and a share in the income of such properties. Modern socialism in such conditions has little chances of success. Whatever headway it has made in these few years is either due to the disregard of the ancient tenets by present owners of property or to the ignorance of the masses of this country of the ways and the effects of modern propaganda. If you take the instance of any 'zamindar', especially one who is not running his estate on Court of Wards lines, you will find that, after incurring all the necessary expenditure on various items which do not include the expenses of his family, he is left only with a very reasonable margin for his own expenses and the maintenance of his family. This is why those of us who take to modern and expensive ways of living soon find ourselves in deep waters. A 'zamindar' must support his family and his

kinsmen; he must support hereditary servants—not only his own but those who serve the village and are given land at specially low rates of rent; he must pay allowances to family and village priests and heads; he must set aside a considerable amount for charity during the numerous festivals and ceremonies. Then, these days, one must give scholarship, subscriptions and donations to educational and other institutions which claim them from every member of society who has any surplus. A 'zamindar' has not only to spend money on the social obligations of his kinsmen and his own but also of the poorer inhabitants of his estate. What is this if not socialism?

It is in fact socialism of a better, more practical and a more humane type which, instead of spreading class hatred, results in real and complete harmony among the various classes of society. It is ridiculous to preach western ideas of socialism in India, and to mislead people under the camouflage of patriotism.

So far as the cause of the country's moral and material—including political—progress is concerned I can claim on behalf of you all that the 'zamindars' are second to none. While we can still claim certain privileges on the basis of the sacrifices of our ancestors, we cannot escape the more numerous and important obligations which these privileges entail. We have to perform our duty towards our country and towards our tenantry. Unless we can fulfil them satisfactorily and prove our utility, it is obvious that we cannot be allowed to exist for very long. Before dilating on this subject I must make it clear that the sphere of these class organisations and conferences is limited to safeguarding and promoting the interests of their class and its members. Their angle of vision cannot be wide enough to justify their taking part in the general politics of the country. Therefore, the landlords must for the sake of serving their country join one or another of the political parties which stand for the ordered progress of India. It will only then be possible for them to cooperate fully with members of other classes striving for the political salvation of the country. This done, they have vast scope for serving the Motherland in political, economic, social and other spheres of public life. I trust, therefore, that class organisations in our country will not be allowed to dominate the political platform which is meant for parties based on well-known political principles.

The first and foremost duty of the zamindars, like that of every other class of Indians, is to look to the political and economic salvation of this country. They must stake everything on it and place their aim above everything else—even the interests of their class. No sacrifice—involving the loss of property or of life—would be too great, and it will indeed be a bad day for their country if they hesitate to make any sacrifice. Unfortunately, there is a considerable amount of confusion of ideas at present in our politics as I have explained earlier. The cry of independence is being subdued by cries of class war. The atmosphere has got to be clarified and all the forces in favour of the freedom of the country—whether inside the Congress or outside it—have to be mobilised to fight shoulder to shoulder to gain the primary objective.

Here, the zamindars can play a leading part by collecting all such forces and keeping them together. There are so many groups and parties in the country which are either indifferent to the facts of the situation or are inactive. If they can all be mobilised under the leadership of tried and veteran leaders and stirred into activity to march towards one single goal, then the politics of the country will be far better than it is at present, and a lot of energy and time which is being wasted over stirring up discordant interests will all be devoted to the development of the country. The other sphere where they can be of use to India are the political, executive, police, military, naval and air services of the country.

The next important duty which the zamindars have got to perform and which has been somewhat, though not altogether neglected, is towards the tenantry. No sane person can say that the impoverished condition of the Indian masses is due to the presence of any one class in the country, much less 'zamindars'. If that were so, rivers of honey and milk would not have flowed when the 'zamindars' were far more powerful than they are at present. Who can deny that this country was more flourishing, contented and happy before foreign exploitation and modern reformers had set their feet on the soil of India. It is an axiom that poverty in this country is due to the exploitation by foreigners, the very heavy cost of administration, and the disproportionately heavy pressure on land.

Propaganda is one of the necessary evils of present day society and the sooner it yields place to something else the better for all of us. Yet when every other party

is engaged in it and when those who are not employing this weapon are losing ground, recourse must be had to it. But if the method of propaganda has got to be adopted by the 'zamindars' it has got to be honest and dignified. There should be no distortions, no abuses and no imputation of motives. These things vitiate the political atmosphere—like they are doing in many oases due to the unfortunate and undesirable methods of certain groups and individuals. They must not be allowed to figure on the programme of propaganda on behalf of the 'zamindars'. The essentials of this movement are:—

(1) A complete chain of central and local associations based on the widest franchise so that the smallest of 'zamindars' can be a member, provision being made for the admission of non-zamindars—including tenants—as honorary members.

(2) An effective and a dignified press with branches, at least in all the important districts. This may be owned by the 'zamindars' or subsidised by them. It would, in addition to carrying on propaganda for the political rights of the zamindars, disseminate information on better farming and better living.

(3) Trained and loyal workers both honorary and paid. Very good use can be made of village bards, *pandas*, *purohits* and priests who daily come in contact with the masses and receive periodical allowances from the 'zamindars'. The various temples and 'Akhras' which have been established and are continued mainly at the expense of the 'zamindars' can render excellent help to the movement.

(4) Last but not least, there should be a liaison agency for co-ordinating the activities of all other organizations which stand for the ordered progress of the country with that of the zamindars.

Whatever may be the utility of these measures the best results can only be obtained by the proper treatment of tenants and the rest of the rural population by the zamindars. Unless their treatment is satisfactory no amount of propaganda and no network of organizations can make them popular among the masses. Therefore, strict discipline will have to be maintained and any of their members trying to abuse his position as a 'zamindar' will, in future, have to be taken to task if success is to crown their efforts.

There has been so much irresponsible talk over the question of ownership from men who call themselves responsible leaders of public opinion, including one Minister, that the question has come to the forefront.

There are three sets of facts which go to prove that neither any Government in this country—nor any Minister for the matter of that—is the rightful owner of the soil. If there is any owner, after God Almighty, it is the zamindar.

Firstly, the historical facts go to prove the view that zamindars or 'Gram-patis' have always existed in India. Neither were they abolished by the Muslim Kings nor were they introduced by the 'benign' British Government. Zamindars did exist before the British Government, during and before the Muslim rule and during and before every other rule.

Secondly, there is evidence of authorities like Baden-Powell to show that none else but the 'zamindars' are the owners of the soil. He traces the origin of the zamindars to three classes of people, feudatory chiefs, revenue farmers and entrepreneurs who have invested money in land and he has come to the conclusion that 'zamindars' are the only owners of the land and land revenue is only a tax and nothing else.

The third important set of facts which are in the common knowledge of every one are:

(a) That the 'zamindars' have full rights of alienation, transfer and gift subject to such reservations as are laid down in the civil law.

(b) Even the State or the Government has to pay full value for the land to the zamindars if it wishes to acquire any portion of it.

(c) A zamindar can make any use of his land and can prevent trespassers from entering upon it like owners of any other property and

(d) Every law dealing with land has always recognized them and does recognize them as complete owners of their lands.

In the face of these facts, and more which are too numerous to be recounted here, no honest and intelligent person can say that the zamindars are anything but the complete and real masters of the soil in the province and whenever they exist in India.

Now I come to the question which has been agitating the minds both of the present Government and the zamindars. I must say at the outset that I am not

very much disturbed by this or any other law which may aim at the reform of the present system of land administration which is admitted on all hands to be defective.

I am also confident that every one present here desires that this system should be so changed that, while giving all reasonable rights to the tenants, it should also safeguard the rights of the landlords. Evidence of such a desire on the part of the 'zamindars' is clear from the mere fact that no serious objection has been taken to the most beneficial provision for the tenant in the now Tenancy Bill which has been brought forward by Government. I mean the provision relating to the grant of hereditary rights to the tenants. This in itself is proof positive that you all desire that the tenantry of this province should be happy, contented and prosperous. On other questions, too, like the abolition of arrests of tenants for arrears of rents, the new provisions relating to the realizations of dues other than rent and 'Sayer', the grant of receipts for payments, the concession to plant fruit trees on holdings and other minor concessions in favour of tenants there has been general agreement. If, in return, the 'zamindars' desire that their proprietary rights and rights in 'Sir' should be safeguarded and provision should be made for the prompt realization of rent, I do not think their attitude can be called at all unreasonable.

The fact that the Bill was badly drafted has been admitted by the Government also and we learn that a new draft is under preparation. I have already expressed my views on the previous draft and cannot criticize the new one unless it is published. I will therefore confine my present remarks to a few of the important points which remain disputed and unsettled so far.

The two chief ones are, the question of 'Sir' and the provisions relating to ejectment of tenants for arrears of rent. As regards the former the attitude of the Congress is utterly unreasonable and almost vindictive. There is no reason why the area of 'Sir' land should be limited to any acreage when a tenant can acquire hereditary rights in any area of a holding or holdings. Next there is no earthly reason why a 'zamindar' should not be able to reclaim land for the purpose of his own cultivation after paying a reasonable amount of compensation to the tenant. Thirdly, there is no convincing reason why a 'zamindar' should not be allowed to let out land on rent for purposes of factories or buildings on permanent leases and have it vacated from tenants after due compensation. The areas affected by these measures will only be a fraction of the entire cultivated area. These are very modest and just demands made on behalf of the zamindars and any law which disregards them will be based more on the principle that 'might is right' and not on that of 'right is might'.

The other important question relates to ejectment. The previous provision which disallowed ejectment for arrears of less than two years' rent was bad enough but the new one which is reported to result in the auction of the holding is much worse.

This is a clear encroachment on the proprietary right of the 'zamindar' and the most emphatic protest has got to be lodged against it. If the Government are not prepared to show any leniency in the realization of land revenue and canal dues, why should default by tenants be encouraged at the expense of the landlords?

The best thing would have been for the Government to accept the principle of assessment on the actual realization of rent. The Government and the people would then have known what leniency the zamindars were capable of showing to tenants in the collection of rents. If the Government expect a prompt and a fixed rate of payment of land revenue they should also see that default on the part of tenants is not encouraged and that the proprietary rights of the landlord are not sacrificed on the pretext of making provisions for the regular payments of rents. If the Government want charity let them begin it at home.

The other important provisions to which objection has been taken by landlords are those relating to 'distraint' and the 'basis of rent'. The sections relating to them in the existing draft of the Bill, in addition to being injurious to the 'zamindars' are likely to increase litigation and corruption. There can, therefore, be no doubt that the Tenancy Bill of 1908 as published needs to be radically changed in order that it may be called a just practical and a wise measure.

The proposals relating to Land Revenue and the arrears of Rent older than 1344 Fasli (Rabi instalment) have not emerged in the shape of bills and no detailed criticism can be offered at present. All that need be said today is that they appear to be the outcome of hasty and ill-considered ideas. They will lead to a considerable loss to the zamindars, and perhaps disappointment among the tenantry. The proposals regarding the graduation and rebates should be carefully studied and

discussed before they are proceeded with. If the arrears, the collection of which has been postponed, be wiped out, the revenue collected on them be remitted to the 'zamindars.'

**Resolutions—2nd. Day—Allahabad—11th. July 1938**

The Conference came to a successful conclusion, late this evening, under the guidance of *Capt. Rao Krishna Pal Singh*, president.

The main object of the conference was to consider the impending tenancy legislation and while the conference recorded its complete sympathy with an offered co-operation in any proposal of the Government, which might lead to the real prosperity of the tenantry, it looked with grave concern and apprehension upon measures, which tended to harm the zamindars, without ensuring welfare of the primary cultivators of the soil. It passed numerous resolutions either criticizing or suggesting amendments to the various provisions of the Tenancy Bill.

The special feature of the conference, as emphasized by *Rani Sahiba of Sherkot*, at the close of the session, was the appointment of two committees, a standing committee to organise the zamindars and to give effect to the resolutions, and another committee to open negotiations with the parties concerned to secure a peaceful settlement, if possible, of the agrarian problems.

The *Raja of Tanakoti* got a resolution passed, deprecating acts of violence and lawlessness, incited by people in the name of Congress and in moving the resolution he asked why the 1938 Tenancy Amendment Bill was creating so much stir among and dissensions between zamindars and tenants, while such an atmosphere never prevailed on the last four occasions on the amendment of the Tenancy Acts in the United Provinces.

Among other resolutions, the conference also passed one, expressing the view that the poverty of the rural population could never be moved unless effective measures were taken to tackle its root causes.

*Pandit Rajnath Kunzru* questioned the propriety of Ministers identifying themselves with the peasants' conferences and delivering anti-zamindar speeches and at the same time assuming the role of impartial judges to adjust equitably the relations between the zamindars and the tenants. He also moved a resolution to this effect but as some members did not wholly agree with Mr. Kunzru's views and suggested that the language of the resolution should be somewhat altered, Mr. Kunzru did not press it.

While winding up the proceedings of the conference, *Capt. Rao Krishna Pal Singh*, the president, emphasized the need of the zamindars organizing themselves for the protection of their rights.

The following are the resolutions which related to the proposed tenancy legislation or other agrarian problems, and were passed by the conference :—

This conference places on record its complete sympathy with and co-operation in any proposal of the Government which might lead to the real prosperity of the tenantry, but they look with grave concern and apprehension at measures which tend to harm the zamindars without ensuring the welfare of primary cultivators of the soil.

Resolved that 'sir' being the mainstay and chief asset of zamindars, specially of the small zamindars, and their families and dependants, any rights thereof including the right of further accrual should not be interfered with.

Resolved that in the opinion of this conference the right of the zamindars to acquire land (a) for this cultivation, (b) for planting groves (c) for laying out gardens and (d) for building houses and other objects should not be curtailed and specific provisions in the present Act should be made in the Bill to enable the zamindars to do so.

Resolved that on relinquishment or abandonment, no right should vest in the heirs or successors of the tenants to question it, and unless a fraud is established, all relinquishment and abandonment of the holdings should be deemed to be final. In the opinion of this conference unless these provisions are deleted from the Bill, they are likely to lead to endless litigation between the tenants and the zamindars.

Resolved that this conference, while extending its fullest co-operation to the Government in simplifying procedure of distraint and making it less costly to the tenants, feel that the process of distraint is the only effective and speedy method of creating the right mentality among the tenants to pay their dues in time. The dilatory and cumbersome procedure laid down in the bill renders the process of distraint not only ineffective but thoroughly worthless and should be deleted.

Resolved that the basis of calculation and revision of rents is adequately provided for in the Agra Tenancy Act 1926 and should not be interfered with. The provisions contained in the present bill in that behalf will lead to serious complications and should be deleted.

Resolved (a) that ejectment for non-payment of rent should be made automatic on the expiry of the date fixed by law for the purpose, which should not be later than a year from the date of the rent falling due.

(b) That clauses 181, 185 and 186, will make the realization of rents almost impossible and hit the smaller zamindar specially very hard and even deprive him of his property and that the arrears of rents should be realized in all cases as soon as they fall due.

(c) That the clause 181 proposed in the now bill is most arbitrary, inequitable and unjust and must be deleted and arrears be realizable from the defaulting tenant or his assets as hitherto.

(d) That the zamindars ought to be allowed the same period of grace for payment of revenue as may be allowed to tenants for payment of rent.

Resolved that this conference, while agreeing to the maintenance of the system of printed receipts and introduction of the method of payment of rents by money-orders or by deposit in courts, strongly urges (a) that no fee should be charged either from the tenant or the zamindar for depositing or withdrawing the rent, (b) that the provisions regarding the levying of a fine of Rs. 200 should be deleted from the bill.

Resolved that section 4 (3) imposes an unjust and unnecessary restriction on a valuable civil right of the zamindars to grant a perpetual lease, and should be deleted.

Resolved that the reported proposal that ejectment of tenants may be permitted for arrears of not more than one year and that also by the sale of the whole or a portion of the holding, is highly unjust and detrimental to the lawful interests of the zamindars, and constitutes an unwarranted and unjustified encroachment on their elementary right of property and should not be incorporated in the Bill.

Resolved that in conformity with the principle of sec. 145, the zamindars should be exempted from arrest and detention for default of revenue.

Resolved that this conference protests strongly against the reported proposals for enhancing the land revenue, which in spite of the proposed bait of rebate will adversely affect the zamindars of all grades alike and urges that they may not be acted upon.

Resolved that this conference strongly urges upon the Government not to grant any remissions in the arrears of rent of fixed-rate tenants, nor should any right be given to them in applying for the abatement of their rents, for they have been enjoying very low rate of rents and all rights of transfer.

Resolved that this conference utterly condemns the grossly unfair and untimely order of the Government regarding the stay of proceedings of arrears of rent and ejectment and it reiterates its belief that the Government's action in this matter, was unjust and inequitable to the zamindars. The conference further feels that if the Government wants to give relief to the tenants by wiping off all or any portion of the arrears of rent, it should, at least, in common fairness, be prepared to compensate the zamindars to the extent of that amount or remit the revenue for the period mentioned above in the form of rebate in the future land revenue.

Resolved that this conference strongly protests against the Government's proposal to levy agricultural income-tax in the permanently settled districts. It feels that such a proposal, if accepted, would contravene the unequivocal guarantee given by the Governor-General in Council at the time of the permanent settlement and would be repugnant to the spirit of the various acts and regulations passed thereafter. It further feels that any additional burden on the zamindars of the permanently settled districts in view of the very high percentage of land revenue paid by the zamindars, would be unjustified and unequalled for.

Resolved that this conference is decidedly of opinion that the poverty of the rural population can never be removed unless effective measures are taken to tackle its root causes by :—

(a) Relieving pressure on land through a carefully planned scheme of industrial development (b) organizing cottage and village industries on a wide scale in order to provide additional source of income to the tenants: (c) Increasing the produce by developing and encouraging better farming and making the requisites for improved agriculture available more easily and cheaply (d) attacking rural indebtedness and

providing easier and cheaper credit : (e) providing extensive facilities for the better marketing of the agricultural produce and (f) trying to improve the purchasing power and wealth of the people of the province.

Resolved that the conference is emphatically of opinion that immediate and effective steps should be taken to mobilise and organize all forces in the country which stand for ordered progress and due maintenance of rights of private property and that in view of the absolute failure of the present Government to protect the just and lawful rights of the zamindars the zamindars should effectively organize themselves in order to protect their legitimate rights and prevent irresponsible persons from carrying on unfair and mischievous propaganda creating ill-feeling between them and the tenants.

Resolved that this conference appoints a standing committee of all the delegates and the members of the reception committee to take all necessary steps for organizing the zamindars in the districts and tahsils to start work immediately and to collect funds for the purpose of four-annas per cent. on the amount of revenue paid by every zamindar with minimum membership fee of annas four.

The following resolutions to which great importance was being given was also passed :—

Resolved that a committee consisting of Rao Krishna Pal Singh, president of the zamindars' conference ; Mr. A. M. Khwaja, chairman of the Reception Committee ; president of the British India Association ; the Nawab of Chhatari and Nawab Sir Muhammad Yusuf with powers to coopt and fill vacancies be appointed with a view to a peaceful settlement, if possible, of the agrarian problem. The committee was authorised to take all steps which they deemed necessary.

### The Unao Zamindars' Conference

While the Agra Zamindars left the door open for negotiations with the Congress High Command on the tenancy questions, the Oudh Taluqdars banged it on the 17th. October when the Unao Conference at Lucknow passed a resolution that the zamindars were not prepared to accept the arbitration of the Congress High Command, requesting all those carrying on the negotiations not to accept it.

The Conference expressed surprise at the attitude of the parliamentary sub-committee which instead of trying to discuss the principles underlying the U. P. Tenancy Bill, considered it advisable to ask the zamindars to abjectly surrender to its own arbitration.

The Conference urged the Zamindars to prepare themselves forthwith for civil disobedience if occasion arises.

With a view to help the zamindars in times of need and difficulty, the Conference decided to start a fund to which each zamindar should contribute one-fourth of his land revenue.

The Conference was strongly opposed to the provisions of the Tenancy Bill and asked the Zamindars to take effective steps to win their tenants.

### U. P. Zamindars' Conference

A special conference of the zaminders of the United Provinces was held at Allahabad on the 16th. October to consider the offer of the Congress High command for arbitration, on the subject of the U. P. Tenancy legislation, made following the meeting at Delhi of a deputation of the U. P. zamindars and the members of the Congress Parliamentary Sub-committee, popularly known as Congress 'High Command.'

The Conference decided to authorize the negotiation sub-committee, which had been appointed at the July session of the conference, to continue further negotiation and take all steps to bring about a better understanding between the zamindars and the Government and to agree, if it thought fit, to accept the decision of the Congress Parliamentary Sub-committee on all or any of the points.

The Conference further resolved that the hon. Premier be requested to postpone the consideration of the Tenancy Bill pending negotiation for a settlement.

### The Punjab Zamindars' Conference

An important announcement that H. E. the Governor of the Punjab has given his assent to the Restitution of Mortgaged Lands Bill and the Registration of Money-

lendors Bill was made by the hon. Sir *Sikandar Hyat Khan*, Premier of the Punjab at the open session of Punjab Zamindars' Conference held at Lyallpur on the 4th. September 1938.

The Premier also said that the Governor had sent the third Agrarian Bill, namely the Punjab Land Alienation Second Amendment Bill, which concerns benami transactions to H. E. the Governor-General for his assent.

Sir *Sikandar Hyat Khan* declared that he and his Cabinet would at once resign if anybody placed hindrances to the enactment of the Bills. The announcement was received by the audience with acclamation.

Sir *Sikander* appealed to the zamindars not to be restless. He assured them that he was there to protect their rights. "If any one stands in the way of these Agrarian Bills becoming law," said the Premier, "I declare before you that I and my Government will resign and come out." The Premier asked the zamindars no to fear anyone nor be affected by any agitation. Continuing, he said, "I may tell you, if any one breaks the law in this Province, I will smash his head."

The Punjab Government had asked the Government of India to pass the Anti-Recruitment Bill, declared Sir *Sikander Hyat Khan*. The Premier said that the Punjab Government even offered to introduce the Bill in the Punjab Assembly, but were informed that they were barred from doing so on technical grounds, because the matter related to a subject which was exclusively confined to the Federal List.

Sir *Sikander* asked what possible satisfaction could they derive from Great Britain's difficulties if they (the Indians) themselves were exposed to the danger of subjection by another foreign power. But apart from that vital consideration, there were other important reasons why the Punjab should look with suspicion and disfavour on the attempts to dissuade Punjab young men from joining the army.

The Premier stated at the outset that the Agrarian Bills, which had recently been passed by the Punjab Assembly, were no more than a first step towards a revolution which their critics themselves until recently professed to be an ideal worth achieving. He examined briefly the criticisms levelled against the Bills. Every one of these measures was conceived and planned after careful consideration and an exhaustive examination of all its different aspects and implications. Had they been class measures, meant to benefit the rich zamindars and were they not beneficial to the poor zamindars, he should have been the last person to countenance, much less sponsor, such measures.

Referring to both the supporters and the detractors of the Agrarian Bills, Sir *Sikander* said that to the former his advice was that they should neither be disheartened nor provoked by the vehemence or the unreasonableness of the agitation against those measures. The manifestations were not novel or peculiar to this Province. So long as the present agitation did not exceed constitutional limits, the critics were within their rights to voice their views and ventilate their feelings. If, unfortunately, those limits were exceeded, one might be sure that the Government would know how to deal with the situation. Any menace to the peace and tranquillity of the Province, from whatever quarter it emanated, the Premier said, would be dealt with promptly and effectively. The Premier advised those who opposed these measures not to allow themselves to be influenced by petty, personal or class considerations.

Referring to the attitude of the Punjab Congress to the Agrarian Bills, the Premier said that it was difficult to understand the position of the Congress except on the hypothesis that there was a very thin line—almost invisible—which divided the Punjab Congress from the Hindu Sabha in the sphere of economic interests. When the Assembly session was over, leading members of the Punjab Provincial Congress Committee had issued conflicting statements on the attitude which should be adopted by Congressmen. The decision arrived at on the 12th August at a conference of Congress workers was indicative of conflicting loyalties and a very confused state of mind. The present body—the All-India Congress—rightly professed keen sympathy, said the Premier, for the masses, but its off-spring in the Punjab only paid a lip homage to the principles and programme on which the Election Manifesto of the Congress was based.

#### RESOLUTIONS

The Conference then proceeded to discuss resolutions. It adopted a resolution expressing the opinion that the Agrarian Bills recently passed by the Punjab Assembly, were very beneficial for zamindars and in view of their acute distress, it was

necessary that they should be enacted into law without delay. The resolution requested H. E. the Governor to give his assent to the Bills at his earliest convenience.

Another resolution expressed full confidence in the Punjab Ministry and congratulated it on having piloted the Agrarian Bills successfully through the Assembly.

Other resolutions were adopted, demanding a uniform taxation of the agriculturist and the non-agriculturist population of the Province, a reduction of land revenue, abiana, and other taxes with which the agriculturists were burdened and, in order to make good the loss, an increase in the taxes on the richer section of the population, demanding that the hardy and martial classes of the Province should get due facilities in the Indian Army, and expressing the strong disapproval of the zamindars of the Punjab of the propaganda against recruitment to the Army.

### The Poona Landholders' Conferences

Hectic activity on the part of landowners of the Bombay Presidency to marshal their forces against the impending tenancy legislation was in evidence in Poona, since the publication of the Bill early in August '38 and the commencement of the summer session of the Bombay Legislative Assembly in Poona.

The landowners of Poona District banded themselves together into an association to "protect and defend the interests and rights of the landowners of Poona District", of which Mr. *Annaji Pandurang Konde-Deshmukh* of Khed-Shivapur, a prominent landowner of Poona District, was elected President. This Association had for its chief object, the combating of the tenancy legislation.

A conference of the landowners in the Presidency was held on the **21st. August** at Gokhale Hall, Poona. It was presided over by Mr. *D. V. Belvi* of Belgaum and attended by 500 delegates from all the districts in the Presidency.

"The tenancy Bill is entirely revolutionary and calculated to undermine the very foundations of Indian Society. The Bill is expropriatory in every way and as such, it should never be introduced," stated Mr. Belvi in the course of his presidential speech. Mr. Belvi added, "Private property is the recognised basis on which society has been based in India since time immemorial. In a larger part of the Bombay Presidency, land has all along been treated as of private ownership." He recalled that when years ago in the Bombay Legislature, an attempt was made to challenge the ownership of the holders of the land, such patriots as the late Sir P. M. Mehta and Mr. G. K. Gokhale had left the Council Hall as a protest against the principle.

Referring to the provisions in the Bill, Mr. Belvi criticised the principle of "economic rent" adumbrated in the Bill as an invasion of the landlords' rights of ownership. He urged that in fairness to them, the Government should suspend consideration of the measure for a period of six years, during which time absentee landlords should be asked to make up their minds either to cultivate their lands on the terms stated in the Bill or give the concessions noted in the Bill to the actual tillers of the soil.

The conference passed a series of resolutions, declaring the fresh draft Tenancy Bill published by the Government as wholly unacceptable to the landowners because it is an expropriatory measure, it deprives them of their inherent rights of choosing tenants and fixing rent, it confers on the tenants the hereditary right of the use, occupation and enjoyment of the lands without even adequate compensation to the landlords, it would lead to a serious depression in land value and create class-war and hatred and disturb the existing cordial relations between the landowners and the tenants.

The other Landholders' Conference was held on **20th. August** under the presidency of *Sardar M. V. Kibe* and under the auspices of the Bombay Presidency Landholders' League. At this Conference, too, strong speeches were delivered, criticising the Tenancy Bill and resolutions passed, characterising the Bill as being against the terms of the sanads, grants and agreements legally entered into between the Government and several landholders and as being of an expropriatory nature. The Conference emphatically disapproved of the haste of the Government in bringing forth such an important piece of legislation without a thorough and satisfactory public enquiry.

# Provincial Political Conferences

## The Tamil Nad Provincial Conference

### Welcome Address

The fortieth session of the Tamil Nad Provincial Conference opened on the 30th. December at the special pandal at Rajapalayam in the presence of a large concourse of people. Welcoming the President and delegates to the Conference, Mr. P. S. Kumaraswami Raja, M. L. A., Chairman, Reception Committee, dealt with the political situation in the country and the programme of work in the future.

Referring to the enlistment of members to the Congress, Mr. Raja deprecated the move to bring any and everyone within the Congress and enabling many thereby to work for selfish ends of their own. The Congress constitution allowed people who were opposed to the Congress views to join freely and instances had not been wanting where a spirit of self-sacrifice had not been shown. The Congress had no place for those who had no spirit of self-sacrifice and would appeal to everyone to see that no dishonour was brought to the great organisation. He hoped that the All-India Congress Committee which would be meeting at Tripura would enforce rigid rules regarding this matter.

When the Congress Ministers were in office, the speaker continued, it was the duty of every Primary Congress Sabha to establish mass contact in villages. It was up to the office-bearers to translate the Congress ideals into action in villages and work for the political awakening of the masses. The Primary Sabhas could not only carry out this scheme successfully but also could come forward to help in the economic reconstruction of the rural population. He would therefore urge upon them for the establishing of more Primary Sabhas in taluks and follow the lead of the Congress committees in the Srivilliputtur Taluk.

Referring to the work of the Congress Ministry in this province, the speaker characterised the Prohibition Act, Debt Relief Act and the Malabar Temple-Entry legislation as great boons to the poor. He was sure that the Estate Land Act with the recommendations of the Zamin Enquiry Report would no doubt become a real beneficial measure. The Government had lost portion of its revenue on account of Prohibition and remission of land tax. The failure of the monsoon this year would necessitate further remissions. Under these circumstances, the people were bound to feel the heavy responsibilities and the limitations of the Ministry. It would be unwise to expect redress of all the grievances at one stroke and he hoped the people would realise the situation and come forward to discharge their duty.

Groups of discontented people, Mr. Raja continued, were saying that the enforcement of Prohibition affected the labourers, the Debt Relief Act, the agriculturists from raising loans, amending the Estate Land Act, the hereditary rights of the Zamindars and the introduction of Hindustani, the progress of Tamil. These ories were the outcome of jealousy and disappointment. The anti-Hindi agitators who were calling themselves saviours of Tamil were indulging in abuse and misrepresentation. Who had the right of deciding whether people wanted Hindi or not? Was it not the inherent right of the public of this province? The public welcomed the introduction of compulsory Hindi and the strength of the first three forms in all the 125 schools in this province where Hindi had been introduced and considerably increased. All subjects in the high school course had been ordered to be taught only in Tamil by the Government and knowing fully all these safeguards, the agitators were carrying on mischievous propaganda merely to undermine the work of the Congress Ministry. It remained for the people in the country to silence them by paying no heed to the agitation.

There was the general faith among the public that everything would be achieved because the Congress Ministry was in office. It was no doubt true to some extent but without the support of the public the Ministry could not achieve much. If what the Ministry had done was for the good of the people, the latter should hold meetings and explain to others who did not know the good things done by the Ministry and also point out defects if any, for, after all, the Ministers were their servants.

In conclusion, Mr. Raja exhorted every one to join the Congress and carry out its constructive programme in a sustained and enthusiastic manner.

### President's Address

Mr. Ramaswami Reddiar, after having been duly installed President, delivered his address. The address was in Tamil and listened to with rapt attention. At the outset, the President dealt with the economic situation of the Province and said that the wealth of the country depended on its agriculture, industries, commerce and trade and freedom was necessary to develop these on all sides. Of course co-operation was necessary, but this could be attained only if all the people were united in the common object of bringing their country forward. So long as people had no craving to attain Swaraj, the country could never advance towards its goal. Everyone should realise that it was his duty to do his bit to secure freedom. In ancient days the condition of village life was one of peace and contentment. After the advent of the British Government, the Maniham lands held in common were transferred as patta lands which empowered the pattadar to sell away his land. This practice soon removed all the village artisans and the villagers had to look for outside help.

The present plight of the villages was deplorable. The Congress under the leadership of Mahatma Gandhi roused the national consciousness of the masses in the country to the situation and infused in them the spirit to work for their own betterment in spite of adverse political conditions. The spirit of Ahimsa preached by the Mahatma was imbibed and after the Satyagraha campaigns gained a status, thanks to the great national organisation, the Congress.

The people had begun to realise that freedom was essential and the sacrifices of leaders had aroused them still more to take their place in the struggle and contribute their share. The achievements of the Congress had been striking and did not need mention at this stage. But much remained to be done. The villages had not yet become economically independent, khadi must spread to every house and every rural industry required to be rehabilitated. The dumping of foreign goods had ruined India's cottage industries and unless India had the power in her to put a stop to foreign imports and establish good markets with railway, shipping, exchange ratio, banking and insurance facilities and powers to control all affairs she had no certain future in her trade and commerce.

The Federation that was envisaged in the Government of India Act did not give such power to Indians. In spite of the great agitation in the entire country and in the absence of responsible government in the Indian States, if Federation was to be thrust on the country willy-nilly, the Congress had a great task to see that such mockery did not become a reality. But for this task all the forces in the country should be regimented on the side of the Congress. They must all realise that in this great and common task, there was no room for division or dissensions. Then would be the time when the Congress would gather all its strength and command all the Congress Provincial Governments as well as the public to oppose Federation successfully and there was no doubt the Congress was going to succeed.

Proceeding, Mr. Reddiar reviewed the work of the Congress Ministry, under the leadership of the Premier, the hon. Mr. Rajagopalachariar, and referred to the Debt Relief Act and other measures to ameliorate the conditions of the masses. In this connection, the speaker also referred to the present plight of agriculturists due to the failure of the monsoon and suggested that though the Government allowed remissions the Government should not levy taxes on un-economic holdings but to classify the land according to local conditions of irrigational facilities and adopt necessary legislation to allow remission whenever and wherever 'shavi' occurred both in the 'ayyan' and Zamin areas. He also held that the Government should adopt the Prakasam Committee recommendations and come to the help of the ryots in no uncertain manner. The Government should also make adequate facilities for long term loans to ryots on low interest and afford other protection to ryots. The Government should also enact a Rural Insolvency Act and a Money Lender's Bill for the benefit of the ryots in the rural areas.

Referring to the place of local bodies in promoting self-Government, Mr. Reddiar said that the Congress had captured 30 out of 40 municipalities and 9 out of 11 District Boards, with the first tangible result in the reduction of the evil of corruption. The District Boards were at present in a disadvantageous position so far as elementary education was concerned, even though the Provincial Government was spending over two crores on this item. He hoped that necessary arrangements would be made, making primary education compulsory in schools, stopping the practice of

constant transfer of teachers from one place to another and providing effective supervision, with every teacher in school competent to train pupils on the Wardha lines. The President next referred to the famine conditions in Tamilnad, except Tanjore and a portion of Trichinopoly and a portion of Madura district in the Periyar project and appealed to the Government to make full remissions and commence immediate famine relief works. Collections of arrears of taxes from ryots should be stopped till the period of remission and depots for the distribution of fodder to cattle and loans to ryots should be the next urgent step. The Government should also start Khaddar producing centres in those afflicted areas and provide a living wage to the people. He also suggested a graded cut on salaries of Government servants.

In conclusion the President observed that they should not depend upon the Government for everything while they remained without doing their duty. A great deal remained to be done and to carry out a real and comprehensive programme of uplift, everyone should strengthen the Congress and work out its constructive programme with the determination to achieve the economic independence of the country as far as possible. He would appeal to them all to arise, awake and work till they achieved their goal.

### Resolutions—2nd. Day—Rajapalayam—31st. December 1938

#### FEDERATION OPPOSED

The Conference wholeheartedly accepted the resolution of the Haripura Conference relating to Federation and declared its readiness to implement all measures that might be decided upon to prevent the imposition of the unwanted Federation as also the prolongation of the present irresponsible Government at the centre.

#### RESPONSIBLE GOVERNMENT IN STATES

The Conference congratulated Sardar Vallabhbhai Patel and the Thakur Sahib of Rajkot on the agreement arrived at regarding the establishment of responsible Government in the State of Rajkot and earnestly advised the members of the South Indian States to follow the example and avoid unnecessary conflict as, in any case, the demand for Responsible Government would have to be satisfied in a short time.

#### FAMINE RELIEF AND REMISSION

The Conference noted with grief the failure of harvest and the prevalence of famine conditions in most districts of Tamil Nad and called upon the Madras Government to help the agriculturists by generous and other positive measures of assistance and appealed to the Congress organisations and the workers in the affected areas to organise non-official assistance as much as possible, by generous remission of land revenue in such portions of the districts, which were suffering from acute famine, including dry lands and postponement of collection of taccavi loans, by starting famine relief works in such areas where it was urgently necessary; by throwing open grazing areas in Reserve forests for accommodating the cattle in famine areas; by making arrangements for advancement of loans to needy agriculturists for beginning agricultural operations after the drought was over; and by establishing depots for seeds, grains and fodder.

#### NEW SOURCES OF REVENUE

The Conference also expressed the opinion that if the Madras Government was to enforce its policies of Prohibition and relief to agriculturists successfully, it should adopt energetic measures of economy and seek alternative sources of revenue. It suggested an immediate and graded cut in the salaries of all officers who were drawing salaries and allowances on the old scale, including All-India officers under the special protection of the Secretary of State; taxes on entertainments, electricity, tobacco, petrol, and other articles, which were either not necessary for the health and well-being of the masses or were luxuries of the wealthier classes; and urgent and strong representations to the Central Government to increase the rates of income-tax to a level which would enable the distribution to the Provinces of the statutory half oven from the next year.

#### TAMIL AS MEDIUM OF INSTRUCTION

The Conference congratulated the Madras Government on its order making the local Indian language the medium of instruction up to the S. S. L. C. and recom-

mended that in order to enforce this policy effectively the preparation of proper text-books in easy and modern style in the various languages of the province should be taken up by eminent men at once. It further requested all teachers and Headmasters of educational institutions in Tamil Nad to adopt as far as possible all the Tamil words compiled and issued by the Tamil Sangham, Tinnevely.

#### ANTI-HINDUSTANI AGITATION

"This Conference condemns the anti-Hindi agitation as a mere political stunt and is of opinion that direct action in a matter of public policy accepted by a popular legislature should not be tolerated and supports the Government in all its measures in regard to the violent and illegal activities of the agitators."

#### TEMPLE-ENTRY

"This Conference welcomes the Malabar Temple-Entry Bill and appealed to all temple trustees and managements in Tamil Nad not to wait for similar legislation to be extended to their places but to open voluntarily, generously and gracefully all temples to the Harijans and thus finally liquidate untouchability in Tamil Nad, thereby saving Hinduism from doing incalculable injury to itself, and the Conference is of opinion that similar legislation for extending it to the rest of the province should be undertaken as soon as possible."

"The Conference expressed the view that the Religious Endowment Board Act should be amended so that the present costly and complicated control may be replaced by a more economical, simple and efficient control and supervision of Hindu religious institutions."

"The Conference appealed to the people of Tamil Nad not to encourage uncertified Khadi dealers and to buy their Khadi only from certified Khadi depots, in order that the efforts of the All-India Spinners' Association might not be frustrated."

#### SCHOOL FOR VOLUNTEERS

~~The Conference requested that the Tamil Nadu Provincial Conference Committee~~



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resolution taken to-day related to the tenants' demands. Among those present at the conference were all the members of the U. P. Cabinet ; parliamentary secretaries ; and other provincial Congress leaders.

### Presidential Address

The following is the fuller version of the presidential address delivered extempore in Hindustani by Mr. Jawaharlal Nehru :—

Mr. Nehru at the outset made an apology for making a departure from the convention of the presidential addresses being written beforehand. He said that he could not write his address first because he did not get time and secondly because on that occasion he could not think what he should write about. He used to feel daily that he should sit to write if time permitted if anything came to his mind. That did not mean that he had no ideas in his mind. But he felt that if he said about his recent visit to Europe, the Kisans might be confused for they might say that they had come to the conference to hear things connected with their needs and therefore they might be upset if international politics were discussed or they might not understand them. Kisans' problems were more important than the question of the country's Swaraj for if kisans were not organized they would continue to be suppressed or oppressed. But if they took into consideration the country's other major problems, Swaraj and international matters, those problems would be found to be inter-connected, for if there was a fire or epidemic at a place, neighbours were also likely to be affected. Therefore kisans who had assembled at the conference and who were anxious about their own matters should try to understand international matters also because foreign politics and Indian affairs were inter-connected. They should not therefore feel that their leaders should not touch international politics. Their anxiety was to wake the country such as every kisan should be able to understand everything and be fit to bear the burden of the administration. They did not want that only a few leaders should understand everything while kisans should follow them blindly. The kisans took part in voting at the elections and they should be fit enough to understand for whom they should vote.

Mr. Nehru next referred to his visit to Europe. The first country he visited was Spain where efforts were being made by some foreigners to suppress the Spanish people. He referred to China and Japan also and remarked that in the world forces were at work to suppress subjects. One great reason for such conditions, he said, was the policy of Britain to suppress democratic forces. Britain recently received a great shock. It was, he felt, cutting its own root. Its prestige was completely gone. That did not mean that other countries in the world had freedom. There were imperialist forces elsewhere also.

Mr. Nehru cut short his statement in international affairs following an interruption caused by cries from a distant corner that they could not hear him. On the interruption ceasing, Mr. Nehru said that they should try to understand these things so that they might be prepared beforehand to face the situation in the event of a world war. He further illustrated how India was connected with foreign matters. Commercial questions in foreign countries affected India also. In regard to kisans also they had to look to the history of the condition of the kisans in other countries as well. The kisans in other countries were far better than many Indian zamindars. In America many kisans owned motor cars. The cause of the poverty of the kisans of India and the country in general was the imperialist power.

Mr. Nehru referred to the new Government of India Act. It was, he said, a deception for it did not give them freedom. The Congress at first hesitated to accept offices under that constitution for fear that they might forget their main work for Swaraj. After further consideration they accepted offices and the Congressmen were the cabinet. What the Congress cabinet had done was before them. An estimate of good or harm would be a long story. But the acceptance of office had done sufficient good. That would lead to the improvement of the condition of the kisans ; but the real advantage was that their power and sangathan for the work for swaraj had enhanced. The kisan's hearts had risen and oppression on them had lessened. Enough oppression of the kisans was still going on, yet during the last 1 half years there had been a much difference in the extent of the oppression, either at the hands of the police, or zamindars or karindas, or anybody else. It was gradually lessening. He knew that the kisans wanted that whatever was to be done for them should be done soon and, Mr. Nehru asserted, he himself some-

times felt upset on seeing that the work was not being done quickly—such was the Government machinery. The kisans were over-burdened with acute poverty and it was necessary for the cabinet to 'run fast', even at a speed which might make them breathe hard, (in the work which would bring relief to the kisans). Therefore he was often upset at the slow progress. But there were many difficulties. The first difficulty was that under the constitution under which the Congress Cabinet was formed their hands and feet were tied. They could run fast if they had Swaraj'. The second difficulty was their own weakness. They involved themselves in petty matters and forgot major problems.

For instance, they raised communal questions. The communal quarrels happened and weakened the nation but they should remember that in other big countries, where disputes occurred, the whole country did not involve itself in them. The work of swaraj was not for any community; it was for the entire country. Yet some of their astray people always kept a communal outlook, and it was very painful to find that some of their prominent countrymen, among Hindus and Muslims, did things which instead of uniting people caused dissensions among them. There were some bodies which had undertaken the task of only badnaming the Congress. If they read papers, Mr. Nehru said, they would notice that they in the Congress did not, as far as possible, even make any criticism against them. What they had indicated was that whatever was said against the Congress was wrong. Mr. Nehru asserted that he had no hesitation in declaring there that the allegations made against the Congress were not only wrong but ridiculous and mean. He felt ashamed when any educated Indian was a party to such irresponsible methods. By such methods they not only harmed the country but their own community. The door of the Congress, he said, was open to everybody; it was shut only against those who did not want freedom for the country. There were some communal institutions of only Muslims, or Hindus or Sikhs and everybody had a right to strengthen his community. The Congress did not oppose the existence of the Muslim League or of the Hindu Mahasabha. But generally members of those institutions only talked against Congress and not of national problems, although they professed the creed of independence. They abused the Congress but he would ask them to realize that the person abusing only harmed himself and not the person abused. Many baseless things were said against the Congress Cabinet but the Cabinet dealt with the matter leniently. Yet a cry was raised that under the Congress Government, the Muslims were being crushed. They requested Muslims to tell them how Muslims were crushed; the Muslim League, he understood, also appointed a committee. The instances of Muslims being crushed which were pointed out were such as the Bande Matram song, the tri-colour flag. The flag colours were selected after deep deliberation. The tri-colour flag was of the whole country but if they examined it from a communal aspect, it had also the green colour, which was considered to be of the Muslims. Therefore if anybody complained against the flag he would call it a dishonest complaint. There might be separate flags of communities but they could have no place in the national work. Mr. Nehru regretted that elderly persons who had taken part in the national work and for whom they had a respect, talked like astray people and thereby caused a shock to the national work and created mutual dissensions. The Congress however would remain firm in its policy and could not be moved by false allegations, and one policy of the Congress would be that it would not involve itself in communal matters. The door of the Congress was open to all; Congress was prepared to consider the difficulties of all and it would be a mistake to expect that it should give up its old principles on which it had been working for the country. One of its fundamental principles was also the protection of the minorities. He hoped that they would not involve themselves in petty matter but push on their national work.

Mr. Nehru remarked that as Acharya Narendra Deo had pointed out they had reached the door of the Freedom and if anybody put obstacles in the way of their further progress, he should feel ashamed of such a conduct. Continuing Mr. Nehru pleaded for public support to the Congress Cabinet. If the Cabinet was found doing anything wrong they should point out where it was wrong. The Congress Cabinet and they were all soldiers of the same regiment.

They should also not do anything which would weaken the Congress sangathan, and here Mr. Nehru deprecated efforts to form Kisan Sabhas as organizations rival to Congress. There was no harm to form such organizations to strengthen the Kisans but if they were intended to weaken the Congress that would be a wrong move.

He felt that some Kisan associations were formed to weaken the Congress. That was not proper.

The Congress was fighting for Swaraj. That was its primary object. But along with that was also the problem of the removal of the poverty and in his view both the questions were inter-connected for poverty could be removed only when they had reigns of the Government in their hands—when they had the Panchayat Raj. Everybody should combine in the realization of these objects. He often saw red flag among the Kisans. The red flag was an old flag of Mazdoors and in some countries also of Kisans. He had no opposition to it but at that moment it was a great mistake to take red flag in villages. The kisans would get confused by several flags. They had been used to the tri-colour flag, which had become symbol of their struggle for Swaraj, of Sangathan and of the Kisan's strength, for behind that flag there was a great power. Therefore if they took another flag among the Kisans that would weaken the tri-colour flag. They should keep the tri-colour flag in every home and he hoped that no efforts would be made to carry the red flag among the Kisans. He had certainly a respect for the red flag but under the present conditions they had to attain Swaraj under the tri-colour flag and the whole nation should come under it to advance the country's cause.

Mr. Nehru next drew attention of the assembly to recent happenings in some Indian States, which, he said, had raised high hopes. The Congress wanted the Indian States also to join in the struggle for freedom, and he noticed with great pleasure an awakening in the Indian States. He referred to the agitation of the people of Rajkot and said that recently the Raja had agreed to give the people Swaraj, a Panchayat Raj. The British Diwan was opposed to the people's demands but he had also to submit before the Sangathan of the subjects. Rajkot was a small state but the triumph of its subjects would be an example to other states. Some other states had also accepted the principle of Panchayat Raj. In their own province they had two states, Tehri (Garhwal) and Benares and he had heard that the Benares state had also announced that their Government would be on the principle of Panchayat Raj. That was really half work for they wanted such achievements in big states like Hyderabad and Kashmir also. The question of the Indian states was a complicated one. He hoped that the Indian states would also cooperate in the struggle for Swaraj and thereby accelerate the pace towards freedom.

Continuing Mr. Nehru referred to the Tenancy legislation which was before the Assembly. One thing which pained him was that one and a half years had elapsed but the Congress Cabinet had not been able to make that legislation. When the Congress Cabinet was formed they passed some orders such as those staying proceedings against kisans, which gave the Kisans some relief but it was painful to find that no legislation giving them substantial relief could be made although 1 half years had elapsed since the Congress Cabinet came in office. The zemindars had threatened satyagraha—it was good thing for zemindars also to learn at last satyagraha. But, Mr. Nehru said, they were not opposed to zemindars or taluqdars. The question was not of causing harm to any body but it was of giving relief to the poor tenants, of raising those who were fallen. There was no question of enmity with anybody but their country could not make an advance until Kisans' condition improved. He hoped that the Congress Cabinet would soon take steps to provide substantial relief to the tenants. The legislation which was before the Assembly contained many good things. The question was to enforce it as early as possible. That should be first and other laws could come later. Among other problems was one of indebtedness and he wanted that the provincial Government should soon enact a law which would lessen the Kisans' burden of indebtedness. He wanted the Kisans to consider also the question of farming on the cooperation principle for if 50 or 60 Kisans combined to work together and distribute the produce among themselves they would be better off than if each worked separately on small plots of lands.

Mr. Nehru said that when the Tenancy Bill was passed by the Assembly—and it would be passed as the Congress party was in majority—it would go to the Council. The Council was not selected by the Kisans but by the Zamindars or the capitalists. They did not like the Bill and might cause obstacles—he hoped obstacles would not be caused as that would agitate Kisans—and if there were obstacles it should be the duty of the Congress and the Kisans to show that they could not tolerate such obstacles as they had already waited long.

Mr. Nehru deprecated hunger strikes or satyagraha by students etc. The Muslim League declared that when time came they would offer satyagraha against the Con-

gress. He remarked that the League abused Congress and at the same time thought of imitating its methods. Mr. Nehru continuing said that he thought that they had perhaps the greatest sangathan of the Congress in the United Provinces. They had made about 15 lakhs members. They noticed some disputes on the occasion of elections but he said that the Congress work in the province was improving. They were learning to control it and their work would improve as their power increased.

Concluding Mr. Nehru exhorted the people to end their mutual disputes and strengthen efforts for the uplift of the masses, the country and the Swaraj and to celebrate the 'Independence Day' on Jan. 26 with great enthusiasm.

### Resolutions—Agrarian Problem

The following is the text of the resolution on the agrarian problem which was moved to-day and was passed on the next day :—

"In the opinion of the conference, in U. P. the system of land settlement should be such that the zamindari system should be ended, as it is harmful both to the zamindars and the tenants. But under the present conditions this conference welcomes the Tenancy Bill proposed by the provincial Government and hopes that it would become law soon. The bill would remove many difficulties of the tenants; but the following points are particularly emphasised. As regards rent there should be at least a remission of Rs. eight crores and it should be allowed within six months of the passing of legislation. The arrears of rent, payment for which has been stayed, should be remitted altogether unconditionally. The system of ejectment for arrears should be abolished, and instead as much of the defaulting tenants' land should be auctioned as necessary. The present system of attachment should be abolished. Ejectments made since 1344 *faski* should be cancelled and occupancy rights should be declared for the tenants in possession in respect of the lands which have been offered as unattested to rent. To improve the condition of the Kisans, besides the bill under consideration, legislation is also necessary for farming on the principle of co-operation, for leaving the land for pastours and giving facilities in respect of *parti* and *abadi* lands reducing Kisans' burden of indebtedness and providing for loans to reduce rate of interest. Ways and means should be adopted for marketing on good price the Kisans' produce and arrangements should be made in villages for other avocations for Kisans. The conference wants to tell the Kisans that the Congress Government is engaged in removing their miseries, but the great cause of their miseries is the fact that the Congress Government had not the power to do things which would completely remove their miseries. Such power in our country would be obtained only on the attainment of Swaraj. Therefore it is necessary that we should all unite to make the Congress *sangathan* so effective and powerful as could bring them Swaraj at the earliest.

### Resolutions—2nd. Day—Ayodhya—31st. December 1938

#### FEDERATION OPPOSED

The Conference met in the noon to-day under the presidency of Mr. Jawaharlal Nehru. The most important resolution adopted related to Federation which ran thus :—

"In view of the situation in India and the rapid development in the world situation the time has come for the full application of the principle of self-determination of India so that the people of India might establish an independent democratic state by means of a constituent assembly. Not only the inherent right and dignity of the people of India demand full freedom but also economic and other problems cannot find a solution nor can India keep pace with the modern progress unless the people have full opportunities of self-development and growth which independence alone can give. Provincial autonomy too is restricted and limited for effective progress and such good as could be obtained from it is being rapidly exhausted. The proposed Federation has been condemned by the Congress as a reactionary scheme which binds India to Imperialism. It has been made clear that any attempt to impose it must and will be resisted. In view of this widespread opposition the proposed Federation must be treated as still-born and the Government of India Act must be ended in order to give place to a constitution of free India made by the people themselves.

"Independent democratic India will face a solution of her great problems rapidly and effectively and will line herself with the progress of the world and thus aid the cause of democracy and freedom."

## MINISTRY CONGRATULATED

Another resolution congratulated the Congress Ministry of this province for improving the administration and making it progressive and felt that owing to numerous limitations and restriction on it the pace of progress has been impeded and vital changes delayed. It opines that in particular the financial arrangements resulting in large central expenditure and heavy salaries should be changed and the service should be made to conform to the responsible system of government and the ideals of the Congress.

## BRITISH FOREIGN POLICY

"This conference records its entire disapproval of the British foreign policy, culminating in the Munich Pact and the Anglo-Italian agreement. This policy has been one of deliberate betrayal of democracy, repeated breach of pledges and co-operation with governments which are avowed and irreconcilable enemies of democracy and freedom. As a result of this policy, the world is being reduced to a state of international anarchy where brutal violence triumphs and flourishes unchecked and decides the fate of nations and, in the name of peace stupendous preparations are being made for the most terrible of wars. International morality has sunk so low that in Central Europe the Nazi Government has sought to crush all people of the Jewish race by methods of organised terrorism, the Japanese invading armies in China have ravaged that land and committed atrocities and inhumanities on a vast scale, the British Government has established a reign of terror in Palestine and in Spain there has been ceaseless bombing from the air of great cities and civilian populations.

"This conference is opposed to imperialism and fascism alike and is convinced that world peace and progress require the ending of both of these. The conference is of opinion that in view of world developments and the trend of British foreign policy towards fascism, it is urgently necessary that India should dissociate herself completely from British policy and control and direct her own foreign policy as an independent nation thereby keeping aloof from imperialism and fascism and pursuing her path of peace and freedom."

## WAR DANGER

In view of the continuing danger of an imperialist war this conference reiterates the Congress policy of non-participation and states that the people of India cannot permit their resources to be exploited for imperialist purposes, any attempt to impose a decision on them by outside authority will be resisted and the right of the Indian people to take all such vital decisions themselves must be established. The conference condemns the anti-recruiting legislation passed by the Central Government as an attempt to prevent forcibly the exercise of the right of the Indian people to take such steps as they consider necessary to avoid participation in a war which they do not approve.

In view of the fact that the world situation is rapidly deteriorating largely due to the policy of the British Government, and new crises have to be faced continually, the conference calls upon the Congress organisation, the provincial Government and the people of the province to keep vigilant and prepared to meet any situation that might arise."

## CHINA

"This conference sends its greetings to the people of China and its deepest sympathy in their trials and privations in the struggle for freedom against a ruthless and inhuman imperialism. It congratulates them on their heroic resistance and is convinced of their eventual triumph.

"The conference welcomes the despatch of a Congress Medical Mission to China on behalf of the Indian people and trusts that this mission will continue to receive full financial support so that it may carry on its work of succour effectively and be a worthy symbol of Indian solidarity with China."

## SPAIN

This conference being fully conscious of the vital importance of the struggle in Spain to the cause of freedom and democracy all over the world, sends its greetings to the people of Republican Spain, and expresses its admiration for their heroic resistance to foreign aggression. The conference trusts that all possible assistance will be given to them by sending food-stuffs to the refugees and children and welcomes the formation of an Indian Spanish Relief Committee for this purpose."

# PROHIBITION

A resolution welcoming the policy of prohibition of the U. P. Government and its inauguration in Mainpuri and Etah districts and expressing the hope that the same will be applied to the whole province was also put from the chair and passed.

## PROVINCIAL ADMINISTRATION

"This conference appreciates the good work done by the Congress ministry in this province in improving the administration and making it more progressive and responsive to the people's will, and in lessening the burdens of the masses. The conference trusts that this work will be continued with all speed and efficiency and that it will receive the cooperation of the people."

"The conference further feels that owing to numerous limitations and restrictions which are a legacy of the past, as well as owing to entanglement with routine work, the pace of progress and internal reform is impeded and vital changes are delayed. The conference, therefore, is of opinion that it is essential that these restrictions should be removed and the speed of progress considerably accelerated. In particular the financial arrangements which result in a large proportion of the state revenue being absorbed in central expenditure and in payment of heavy salaries and allowances should be changed and the services should be made to conform to a responsible system of Government and the ideals of the Congress."

## CENSORSHIP AND BAN OF BOOKS

"The conference records its strong condemnation of the system of banning of progressive literature by the Central Government and the stoppage of books and periodicals at the ports by the customs officials acting under the Sea Customs Act. In spite of so-called provincial autonomy this censorship has continued for a year and a half and even a well-known book written by the Congress president has been kept under ban. The conference is of opinion that this is not only an improper restriction of civil rights and democratic procedure but is also a continued challenge to the Provincial Government and the Congress which are committed to the establishment and maintenance of civil liberties. The conference requests the Provincial Governments to take effective steps to get these restrictions removed.

## NATIONAL VOLUNTEERS

Babu Sri Prakasa next moved a resolution welcoming the formation of the Congress national volunteers' corps under the auspices of the provincial Congress committee and expressing the hope that the members of the corps would work sincerely for the public. The mover emphasized the need on the part of the volunteers to be strict disciplinarians. That would be a step to prepare the people to bear the responsibilities of Swaraj when it was attained.

## INDIAN STATES

The last resolution which was moved by Sardar Narmada Prasad Singh related to the Indian States and ran as follows :

This conference welcomes general national awakening in Indian States and regards it as good omen for the Swaraj movement in Hindusthan because Hindusthan would be free only when there is freedom in its every part and all the people have equal rights.

The conference considers the demands of the people of the Indian States for Panchayati Raj to be reasonable. It congratulates the subjects of the Rajkot, Benares States etc. on their victory. The conference is pleased that the authorities of some States have accepted this demand of the people and are taking steps in that connection.

The conference requests the States in the United Provinces, namely Tehri, Rampur and Benares that they should transfer real power of administration within their respective areas to the people and establish Panchayati governments. The conference regrets that in many States the subjects are being suppressed and oppressed. In many places obstacles are also being put in the way of the Congress committees doing constructive work and efforts to open Praja Mandals are checked by means of legislation ; and national flag is also insulted. The Congress cannot tolerate this. The Congress has also felt that in States, generally, the British

Government has great influences and they prevent the state authorities from advancing with the people and in some places they with the State authorities through the British army is suppressing the people. The Congress cannot bear this policy of the British Government and it will have to resist it. The Conference hopes that the Indian States' people will remain firm in their demands and will strengthen their sangathan.

### The N. W. Frontier Political Conference

The first open sitting of the Frontier Political Conference, whose sessions began at Abbottabad on the 13th. August 1938 was held amidst scenes of enthusiasm. Over ten thousand persons, including delegates and members of the Frontier Provincial Congress Committee and Congress members of the Frontier Assembly, attended the Conference. Prominent among those present were Khan Abul Ghaffar Khan, Dewan Bhanjuran Gandhi, Khan Gulam Mohamed Khan, President of the Frontier Provincial Congress Committee, Sardar Rab Nawaz Khan, Commander-in-Chief of the Red Shirts, Sheikh Sarajuddin Piracha, and Malik Jiwanlal of Lahore.

In the course of his address welcoming the delegates, *Hakim Abdul Islam* exhorted the Muslims to join the Congress in large numbers, as it was the only organisation in the country best fitted to solve the intricate problems of the Frontier Province, to remove poverty and illiteracy. He said that in the Frontier the Congress had such a strong hold as no other political organisation could claim. The Congress had penetrated into almost all villages of the Province.

Referring to the Congress-League negotiations for a communal settlement, the Maulana appreciated the attitude of the Congress, but was sure that no good would come out of any negotiations with the Muslim League.

After criticising the action of the Governor in using his veto in respect of some Bills passed by the Frontier Assembly, he condemned the forward policy of the British Government in Waziristan. In the end, he endorsed the Congress viewpoint with respect to the introduction of the proposed Federal scheme, and described it as a direct insult to their national aspiration.

*Maulna Abdul Kadir Kasuri* occupied the chair and delivered his presidential address.

#### RESOLUTION

Four resolutions were adopted. The first resolution reiterated the Congress resolve about non-participation of India in any world war, adding that India should not give any help to Britain, military or financial, in case war broke out. This resolution was moved by Sheikh Sarajuddin Piracha, the Punjab Congress leader.

The Second resolution condemned British policy in Palestine characterising it as the result of imperialistic designs and demanded its immediate reversal.

The next resolution unequivocally declared their resolve not to accept the Federal scheme. The resolution further added that constitution framed by a representative Constituent Assembly was the only one acceptable to them.

The last resolution protested against the forward policy in Waziristan and condemned bombing of villages, demanding that the independence of the trans-frontier tribes should be maintained.

The attendance to-day increased owing to the arrival of Congress leaders from all over the province in connection with the meeting of the Provincial Congress Committee.

The most important resolution passed related to the Bannu outrage. Strong speeches accusing local officials were made. The resolution sympathised with the victims of the raid, and demanded the appointment of an independent enquiry committee and the payment of compensation to the sufferers. It pointed out that the raid was the result of a deep-rooted conspiracy to discredit the Congress Ministry and create a feeling of discontent amongst minorities, sow seeds of communalism and justify the forward policy of the Government of India.

The second resolution protested against the sentence of three years passed against Mohd. Zaman, Jagirdar of Kurram Agency, and demanded the interference of the Governor; while another resolution demanded the release of Cundan Lal, a political prisoner confined in the Peshawar jail.

Another resolution supported the Frontier Debt Relief Bill and wanted widening of its scope to include those non-agriculturist debtors who had only one residential house.

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# Review of Trade of India in 1937-38

The world trade situation in relation to India, the direction of trade, the trends in production, prices and trade of important commodities, the balance of trade and movement of treasure are surveyed comprehensively in the Review of the Trade of India in 1937-38, published by the Economic Adviser to the Government of India on the 8th. December 1938.

India witnessed the culmination of a long period of recovery in world trade, world production and international price level in 1937-38. Rapidly expanding production and equally growing optimism had marked 1936. The outlook in the beginning of 1937 appeared bright, for the rearmament policy promised a large growing demand for both raw materials and finished products. The demand grew so rapidly in 1937 that fears of acute shortage began to be expressed.

This boom phase was, however, of short duration. The price level attained a maximum in April 1937. Thereafter it fell rapidly till June and declined again sharply and continuously from September to the end of November. After a temporary rally it continued its downward trend, though not so sharply, till the middle of June 1938. Since then the trend was decidedly upwards, though it is not yet possible to decide whether that month will be the mark of a real turn in the cycle of prices and of activity.

The year 1937, on the whole, was an undoubtedly prosperous one for the primary producers due to a combination of high prices and increased output and sales.

The trade cycle which ended in 1937 showed certain marked differences from those of the past. In the leading money markets cheap money prevailed throughout the recovery phase. There was no pressure upon the cash reserves of the banks and money did not become dearer as is usually the case during normal trade cycles.

Another characteristic feature of this trade cycle was the activist intervention of the State. This policy of intervention exposes the institution frame-work of the society to forces much less amenable to rational calculation than was the case in the nineteenth and early twentieth centuries.

## THE CULTIVATOR BEARS THE BRUNT

In the depression which started in 1929, agricultural and raw material-producing countries suffered even more severely than the industrial countries. The Indian cultivator was in sore distress on account of the disastrous slump in agricultural prices. When the upward movement started in 1932-33, the rise in the price of commodities in which he was interested was painfully slow and halting and it was only in the middle of 1936 that the primary commodities began their definite upward movement. As the year advanced the rise almost became a boom and the prices touched a figure, the highest for many years. But these boom conditions were too artificial to last and April 1937 witnessed a sudden reversal of the upward trend in business conditions. There were, besides, unfavourable developments in world markets in primary commodities during this year and seriously affected Indian agricultural conditions. The magnitude of the decline was clearly seen only after the middle of 1937.

## RAW COTTON

The outstanding feature of the year, says the Review, summing up the position of raw cotton, has been the record crop in America and a new record for the world's total crop of raw cotton. This very large output came at a time when the boom in world business conditions had definitely been reversed and a rapid downward movement had started. As a result, prices of raw cotton slumped disastrously during the first six months of 1937-38, and touched new low levels in October. The consumption of raw cotton in the world did not show any marked increase and in the case of American cotton, it was distinctly on a larger level. If it had not been for the American Government's policy of loans to cotton growers and restriction of future acreage, prices would have slumped still further. As a result of this policy, however, the downward movement was arrested and the price of raw cotton rallied to some extent during the second half of the year.

## JUTE

The Review finds that the conditions were generally favourable for jute sowing and germination. But contrary to expectations, the expanded Indian jute production did not put the foreign jute industries out of gear, nor did they reduce the foreign demand for raw jute. As a matter of fact, production of jute products abroad increased and exports of raw jute were, therefore, maintained on a fairly high level. The quantity, however, was less, but the value was equal to the previous year. The year 1936-37 had closed with a rising jute market, while 1937-38 opened with a raw jute market in a fairly active condition. The prices began to fall in May and with slight fluctuations continued till in March 1938 they were 25 per cent below the level in May 1937. The average quotation of jute prices for 1937-38, however, was higher than in the previous year.

## OILSEEDS

Oilseeds like most other commodities, passed from boom to depression. In the beginning of the year 1937 the oilseed markets were most optimistic though the prices was lower than in 1936. By the end of 1937-38, however prices had gone down much below their level in February 1937. Discussing the future prospects of oilseeds and the present price level the Review find that the prospects of groundnut are fairly hopeful in spite of the low level attained in March 1938.

The position of linseed unlike other oilseeds were quite satisfactory. Prices were higher during 1937-38, as compared with the previous two years. There is every indication of linseed continuing in a healthy condition. For the time being, the supply position is fairly short, but the increasing rearmament programmes will mean a larger demand for linseed oil. As shipments from Argentine are expected to be smaller in 1938, the outlook for Indian linseed is more favourable for the coming year.

## WHEAT AND RICE

"The crop harvested in India", says the Review, coming to wheat, "during the spring and summer of 1937, was abundant and amounted to 10,800,000 tons, as against 3,800,000 tons in the preceding year. This combined with the better prices obtainable for wheat in the world market encouraged exports from India during the year under review. Prices of Indian wheat rose considerably during 1936-37 and attained the highest level in April 1937. Though decreasing after that month, prices were on a fairly high level till October. Thereafter, however, a sharp decline set in".

Exclusive of Burma, India figures as one of the largest, if not the largest, rice-importing countries in the world. She has always purchased a large quantity of Burma rice, varying every year according to the condition of her own rice crop.

She has always purchased a large quantity of Burma rice, varying every year according to the condition of her own rice crop. The very good rice crop of 1936-37 in India brought down the rice exports to India from abroad. It was only 1,267,000 tons in 1937-38, as compared with the much larger figures of previous years. Price of rice in India showed an appreciable improvement in 1936-37, but the larger crop of that year brought about a small decline.

## INDUSTRIAL CONDITIONS

Discussing the industrial conditions of India in relation to trade cycles, the Review says that at the beginning of the year there was hectic activity in the various commodity and share markets. Unbounded optimism and over-confidence led to speculation and the position became unhealthy and vulnerable. As in other parts of the world, a downward movement started in India and gathered force. The Indian industries resisted for some time, but after October, 1937, when the world position deteriorated further, they succumbed to the general depression. Prices of ordinary shares attained their highest level in March 1937, declined in jute, rose again in October and thereafter gradually weakened. The prices of industrial commodities did not at all move to the same extent during 1937-38.

The Review discusses the rise and fall of steel, coal, jute, cotton, sugar, individually. Prices of iron and steel began rising from November 1936, and by November 1937, they had risen by nearly 69 per cent. Prices of coal increased by even a greater percentage. From December 1936, the quotations started rising and by October 1937, they had increased nearly 105 per cent. From December 1937, prices of both these commodities started declining. Prices of sugar fell till June 1937, the downward

movement having started at the end of 1935. After June 1937, sugar prices rose, though not to the same extent as in the case of steel or coal. Prices of cotton manufactures have been remarkably steady during the last three or four years. The heavy slump in the prices of raw cotton in 1937-38, coupled with the rationalisation in the industry, enabled it to make a substantial profit without increasing its prices to the consumers. The rise in commodity prices in the early part of 1937 had a heartening effect on jute prices and the quotations recorded some increase in April 1937. Thereafter, however, the intrinsic weakness of the industry, as a result of over-production and the business recession, asserted itself and prices declined continuously throughout the rest of the year.

#### TEA

Tea in 1937-38 fared well and its near future appears to be fairly bright as the industry is reaping the fruit of a well-thought-out regulation scheme in great contrast to the uneconomic and unregulated production and export of the period before 1933. Production and consumption has been growing in the last five years, and in 1937-38 they were nearly double those of 1932-33.

Since March 1937, the index of cement shares had dropped considerably, though it had maintained a fairly steady rise from the lowest level of August 1931, till the end of 1936-37. This fall is due to business recession during 1937-38.

Starting with a better demand in the early months and consequent expansion of currency to the extent of Rs. 8,00,00,000 against the transfer of sterling securities to the Issue Department, conditions in the money market worsened towards the end of the year. Trade was declining and money became unusable. A comparatively low rate of interest ruled the market throughout the year. The Reserve Bank rate remained unchanged at 2 per cent throughout the year.

#### BALANCE OF TRADE

The merchandise balance of trade in favour of India amounted to Rs. 15,88,00,000 as compared with Rs. 51,91,00,000 in the previous year, showing a fall of over Rs. 35,00,00,000 due primarily to a great increase in the value of imports. Including transactions in treasure, the total visible balance of trade in favour of India, was Rs. 30,24,00,000 in 1937-38, as compared with Rs. 94,90,00,000 in 1936-37 and Rs. 40,52,00,000 in 1935-36. Conditions of trade were not so favourable, at the end of year as in the earlier period, and resulted in the decline in the rupee-sterling rate.

The total value of India's export to all countries, including Burma, in 1937-38 amounted to Rs. 181,00,00,000, Rs. 4,00,00,000 less than the preceding year and Rs. 31,00,00,000 more than in 1935-36. The imports showed a remarkable recovery, rising by Rs. 32,00,00,000 as compared with the preceding year and Rs. 24,00,00,000 as compared with 1935-36. India's internal trade has been increasing in volume and continued unchecked during the whole of 1937-38.

Dealing with the last period of the year, the Review finds that a change, due to revival in Wall Street and American commodity markets, brought the index of a variable yield securities to the first small rise since 1937. Commodity and share markets have shown some revival from the middle of June, but it is too early to say whether this is the real beginning of a real business recovery.

## The Associated Chambers of Commerce

Annual Session—Calcutta—19th. December 1938

#### Presidential Address

Presiding over the annual general meeting of the Associated Chambers of Commerce, which was opened by his Excellency the Viceroy at Calcutta on the 19th. December 1938, *Sir George Campbell*, president of the Bengal Chamber of Commerce, sounded a general note of warning on the desirability of the provincial Governments' examining very closely the possible repercussions of such labour legislation as they might introduce, though where reforms were due the chambers were behind none in their desire to see them inaugurated with all reasonable speed. He also suggested the advisability of some coordination in labour policy as between the different provincial Governments. Referring to the Indo-Burma trade agreement, *Sir George* expressed the hope that when time came it might in the interests of the trade of both India and

Burma be renewed in its entirety or with very little modification for a further period of (?) years.

As regards the Ottawa agreement he felt sure that it had not been so disadvantageous to India as many critics had tried to make out and had not prevented India from making bilateral trade agreement with other parts of the empire, such as Australia. He hoped that the Commerce department of the Government of India would soon find time to discuss and to inaugurate such agreements.

Upon the subject of federation Sir George Campbell observed that its prospects were obscured by threats of non-cooperation and by the attempts to alarm the princes by manufacturing agitation within their states. The campaign against federation enlisted in some respects the sympathy of more moderate elements and revolutionary forces were quick to seize on this as an opportunity of extending their influence and maintaining a link between themselves and the vast body whose drift towards constitutionalism they deplored. The existence of that drift was an evidence that their own experience had proved to the former critics that the constitution went further to meet their aspirations than they believed before they gave it a trial and it was to be hoped that they would resolve to build on the foundation of the existing federal scheme rather than allow themselves to be made tools of the forces which were striving to destroy the society which the ministries were striving to preserve and advance.

### The Viceroy's Opening Address

In the course of his address opening the Chambers, *H. E. the Viceroy* said :—

I listened with interest to what you said on the matter of labour legislation. Decent and humane conditions of work are, as I am sure you will agree, the most effective antidote to subversive forces in the labour movement and that consideration has always been present to my Government in their labour legislation. But progress has been tempered with caution; in every advance undertaken there has been full consultation with the interest concerned and full weight has at all times been given to the stage of development of labour in this country. My Government entirely share the view that there may well be advantage in the provinces and the centre taking counsel together in order to coordinate labour policy so far as local conditions permit and the whole of this matter is under active consideration.

### INDIA AND BURMA

I am fully sensible of the importance of maintaining close and cordial trade relations between India and Burma, whose mutual trade surpasses in volume the trade between India and any empire country other than the United Kingdom. With this end in view, my Government will continue to watch with interest the working of the present agreement.

### ANGLO-AMERICAN AGREEMENT

Like you I welcome the conclusion of the Anglo American agreement. I do not propose to touch on this topic at any length. But let me in a word emphasize its economic aspect and its importance as the most noteworthy contribution in recent years towards the problems of rehabilitating international trade.

I listened with great satisfaction to your friendly words of congratulation to my Posts and Telegraphs department, which cannot but be a real encouragement of them. I trust sincerely that the difficulties you have mentioned in connection with the despatch from home of air mails are now being surmounted, and will not recur.

### ISSUE OF FEDERATION

In your speech, Mr. president, you laid particular stress on the issue of federation. I wholly agree with you as to the vital importance of that issue, more particularly at the stage which has now been reached. And I hope, gentlemen, that I shall not unduly strain your patience if in the remainder of my remarks to-day I devote myself primarily to it.

When I spoke to you in December 1937, I said that there lay ahead of us the achievements of an ideal which was the ideal which inspired the framers of the Government of India Act of 1935. An ideal, I added, for which we owed a deep debt of gratitude to those spokesmen of the Indian States and of British India who had

taken part in the deliberations which resulted in the present constitutional scheme. I mentioned my concern to ensure that no avoidable delay occurred in the development of the federal scheme and in the arrangements in connexion with it. And I said, too, that I in no way regretted the lapse of time which had taken place in connexion with those preparations; for the delay involved gave us the opportunity carefully to scrutinize from every aspect all the features of the scheme, and to give its full and appropriate value to every one of them. A year has passed since then. Much further spadework has been done, spadework of great value, for which the Secretary of State and I owe a very real debt, and a debt which we gratefully acknowledge, to those who have given such invaluable help to us. At the state which we have now reached there may, I think, be advantage in reviewing briefly the general position, and in bringing our minds back to the considerations which weighed with the Parliament and with the Joint Select Committee when they devised the constitutional scheme the second part of which is now approaching realisation.

#### PERSONAL CONTACT WITH SECRETARY OF STATE

I have had the advantage, this summer, of renewing personal contact with the Secretary of State, and I have been able, too, to renew the same personal contact with members of both Houses and with his Majesty's Ministers. There has never been any divergence of view—though I have seen that suggested,—between my noble friend the Secretary of State, or his Majesty's Government, and myself on the federal issue. But in speaking to you today I can do so with the additional confidence as to our entire unity of purpose and approach given by my conversations this summer.

#### REVISED DRAFT INSTRUMENT TO PRINCES

While I have been away, and since I have returned, a further stage, and a vital one, in the clearing of the approach to federation has been achieved and I am glad, gentlemen, to be able to speak to you today with the knowledge that the princes are shortly to receive the revised draft instrument, and will be asked to signify within an appropriate interval of time their decision on it.

The federal scheme has, I well know, been the target of many criticisms—from important political leaders, from the press, from private individuals. I have studied those criticisms with all the attention that they deserve, and with the fullest acceptance of the sincerity of purpose underlying them. I can but repeat, in the event, what I have said before, that no criticism of the scheme of federation embodied in the Act that I have seen advanced was absent from the mind of those of us by whom that scheme was framed. We were fully conscious of the directions in which it was open to attack. We were conscious that no scheme that the wit of man can devise can be free from blemish—even from more serious error,—more especially when the situation which it is designed to meet is unique in history, and presents features of such complexity and such difficulty. But our conclusion was, and it is my considered opinion today, that the scheme then devised is the best practicable solution of the great constitutional problem of India.

#### UNITY OF INDIA

In framing the federal scheme, we had in view in the first place, as a consideration of dominant importance, the unity of India. The decisive weight of that factor calls for no argument today. Nor do I see any scheme that holds out a greater hope for the achievement of the political and the constitutional unity of this great country than the scheme of the Act. The achievement of that unity is more important today by a long way than it was even three years ago. It is more important, in the first place, as it has given the change in the European background; and the relations of the new ideologies which we see developing to the ideals which have been and which remain the basis of the British policy in India. It is more important, secondly, precisely because provincial autonomy has worked so well. The greater the success of the scheme of provincial autonomy, the greater the degree to which the strong and diverse claims of individual provinces, widely differing in racial and religious composition, the economic and political outlook, asserts themselves, the greater is the danger of the development of centrifugal and dissipated tendencies, and so of the marbling of that unity which it has been the object of all of us who care for India's future to see achieved and consolidated.

## REACTIONS OF PUBLIC OPINION

In measuring the reactions of Public opinion to any proposal of major political importance it is well to remind ourselves that the circumstances of political controversy tend everywhere to magnify and to advertise those points as to which there is difficulty or deep divergency of opinion, while those matters as to which there is concord and common agreement are too often—in the heat and dust of the fray—forgotten or set aside. So indeed has it been in regard to the controversy upon the question of All-India Federation. Yet, if the matter be impartially examined, it will be found that upon the essential merits of federation there is wide and in some highly important regards, unanimous agreement.

## FULLER POLITICAL LIFE FOR INDIA

Let me attempt for a moment to probe the deeper reasons—the underlying instincts, upon which rests the understanding, so universal to-day, of the immense importance to India at this time of attaining a fuller political life without sacrificing the ideal of unity. What are the considerations, historical and contemporary, which have harnessed the wider patriotism of Indians to the heavy task of securing the political integration of their country? Surely it is the deep conviction that upon unity depends the position and prestige of India before the nations, and her capacity to take her due place in the world and to exercise upon world development the influence to which she is entitled by right of her history, her importance and her culture, for the due fulfilment of her destiny, unity is essential. In the past India has suffered much and lost many things as the direct and unescapable penalty of internal schism and division. These truths lie deeply embedded in the historical consciousness of the people.

I am convinced that their realisation to-day contributes most materially to shape opinion upon contemporary problems. Quickening and fortifying these powerful impulses, there is quite evidently a growing comprehension of the position of India in a world which has now beyond doubt entered upon one of those formative periods, the outcome of which must affect the shape of human affairs upon this planet for many generations to come. It is certain that, in one shape, or another, such a crisis must impose intense stresses and crucial tests upon all people. That India is aware of all such matters none may doubt, her statesmen are constantly extending and broadening the range and scope of their survey, her public is increasingly disposed to look outwards towards the great world of international affairs. Not as mere spectators, but as those who grasp the significance of India's place in the environment of modern world problems, such stirrings of the national consciousness are bound soon to seek their due expression. How can they find expression unless unity upon an All-India basis is achieved?

## ECONOMIC SIGNIFICANCE OF FEDERATION

Upon the economic significance of federation there can, I imagine, be no serious doubt or dissent, and I am confident that commercial and financial interests throughout India are fully alive to its importance. I venture to hope that those interests, whether Indian or European, will make a direct contribution towards the education of public opinion upon this weighty aspect of federation. The full fruits of union will not ripen in a moment, but I believe that substantial benefits will very soon accrue. Differences and exceptions in the economic field may—no doubt will—survive the achievement of the federal scheme. That, in the nature of things, is but to be expected but the achievement of that scheme cannot, in my judgment, but tend to harmonise the interests of all parties without material injury to any; to weld together from the economic and fiscal point of view, in a manner and to an extent which could not otherwise be looked for, the Indian states and British India; and to ensure the alleviation of that lack of unity which, whatever its historical explanation, cannot in this sphere but strike the observers calculated to reduce efficiency, and to hamper the development of India's natural resources, and of her commercial and industrial opportunities.

## PROVINCIAL AUTONOMY

When we last met a year ago, provincial autonomy had been in operation for nine months. Experience of those nine months had left me confident that whatever difficulties lay ahead (and the possibility of difficulty and misunderstanding was as present then as it is today), the workability and the essential soundness of the

scheme devised by parliament had proved themselves ; and that, whatever criticisms might be levelled on points of detail, the foundation was the right one, and, given understanding and goodwill, the scheme of provincial autonomy sound and workable. I was confident too that the autonomous provincial governments, whatever party they represented, could in the working of provincial autonomy expect in the fullest measure from Governors, from the services, and, in so far as he was concerned from the Governor-General, friendly and ready co-operation.

Another year's experience of the working of provincial autonomy leaves, I venture to claim, no room for doubt on any of these points. The tributes which Ministers of all political parties have in recent months paid to the work of the great services speak for themselves. I know from first hand how real is the importance which Ministers attach to the loyal and willing co-operation which they have received. I can speak equally from first hand of the friendly character of the relations between Governors, standing as the King's representatives outside and above party, and their Ministers. As to the working of the special responsibilities, you will, I am sure, agree that the forecast which I made in my message to India of June last year has been amply and fully realized. He would be a bold man who, today, even in these conditions, excluded the possibility, from one cause or other, of difficulty, even of very serious difficulty, in the futuro. But, on a broad view, the great experiment of provincial autonomy, the transfer of real powers to the Ministers elected by an electorate five times the size of the electorate that had previously voted in India, has proved a marked success. And, given the continuance of the goodwill and the understanding which has been given in such full measure there is no reason today why we should not look with confidence to the future. I have no fear that given the same good will and the same co-operation the federal scheme maintained by the joint talent of British India and the Indian states, will not be as great and as significant a success as provincial autonomy has been.

#### FEDERAL SCHEME

I am familiar with criticism that the federal scheme is too restricted in its scope. Nor do I over-estimate, in relation to federation, the importance or the value of the inferences to be drawn from the working of provincial autonomy. For all that, when I consider criticisms such as those which I have just mentioned, I cannot but think of the apprehensions expressed, and, I am sure, genuinely and sincerely felt, at the time of the introduction of provincial autonomy.

I would ask whether experience has not shown the reality of the powers then transferred, the ready spirit of cooperation of governors and the services, the immense potentialities which the scheme of provincial autonomy, whatever hesitations it may have engendered before it was brought into being, has placed in the hands of ministers. And I would point to the fact that the special responsibilities placed upon governors by the Act have admitted, over a period of now more than eighteen months, of being which the Act intended them to be operated. Without any interference with the orderly development of the provincial scheme and without those frequent clashes between ministers and governors which were in so many quarters apprehended as likely, I am confident that, after allowance has been made for the different setting on the stage, we may look for a similar state of things with the introduction of the federal scheme.

To draw a strict parallel between the federal portions of the Act and the provincial portions would be misleading. But I would like to express my own profound conviction of the value and the importance of the orderly processes inherent in the federal scheme, and of the seeds of development which that scheme contains. I no more underrate here than in the case of provincial autonomy the sincerity of the doubts which critics of federation may feel.

But I would ask them to give federation the trial which I am convinced that it deserves. Given good will and understanding, I am sure that results of the greatest and most lasting importance to the benefit of India may be looked for from its realisation. I am confident, too, that the governor-general, whoever he may be, will at all times, in the central as in the provincial sphere, be ready to give the fullest weight to all relevant considerations ; that he will be anxious to help those who are ready to take advantage of any assistance which he may be able to give them ; and that he will be ready to approach the problems of the centre (and I fully recognise how they differ from the problems in the provincial field) with detachment, openness, and sincere

anxiety to reach the solution best in the interests of India. In these matters the spirit is of more concern than the letter; and that consideration is one that must at all times be present to those on whom falls the responsibility for government in this country.

#### INDIAN STATES

Mr. President, I listened with great interest to your remarks about the Indian States, and I welcome the opportunity that you give me of saying a word about the States in their relation to federation. The states are as essential an element in a federation of India as are the provinces of British India. The unity of India is as dear a thing of them as it is to British India. It was with distinguished leaders of the states that the federal ideal in its present form originated, and their contribution to the elaboration of the federal ideal has in the past been material. The decision as to their further contribution must be for them and for them alone to make.

No pressure to take a decision in a particular sense will be brought upon the rulers of the Indian states by His Majesty's government or by me.

Indeed, this matter has throughout been approached with full appreciation of the responsibility which falls upon the individual ruler who has to take a decision of such momentous consequence to his dynasty and his state. We have done all that lay in our power to apply a just judgment to the points which have been raised by individual states in connection with their accession to federation and to find the wise and appropriate solution of those points; and we have, at all times, kept before us the ideal of the unity of India.

The decision whether or not to accede to the federation of India falls to be taken at a time when the minds of many rulers are preoccupied with the question of determining the extent to which ideas germinated in different conditions, and arising from wholly different circumstances, are capable of assimilation with the background of their traditions and responsibilities. I realise the difficulty of that problem—nonetheless great because, the advice and assistance of the paramount power is always available to rulers.

I must rest with rulers themselves to decide what form of government they should adopt in the diverse conditions of Indian states and, as the Secretary of State has again made clear in the last few days, while the paramount power will not obstruct proposals for constitutional advance initiated by rulers, His Majesty's Government have no intention of bringing any form of pressure to bear upon them to initiate constitutional changes.

I need not remind you of the close and active interests which so many rulers have already displayed in this question. But in a field in which, for historical and other reasons, such wide differences in conditions exist, generalizations are dangerous and misleading. This nature of any internal adjustment, the checks and balances appropriately to be applied, cannot wisely in all circumstances be the same, and the fullest weight must be given to all relevant factors by those on whom the responsibility directly falls. But, gentlemen, let us make no mistake about this if federation is not to fall short of the high ideal which it has so far constituted, if it is to be a real federation of all India then the collaboration and the participation of the Indian states, and of the tradition they stand for are essential.

#### WORKING OF PROVINCIAL AUTONOMY A TOUCH-STONE

Gentlemen, I have kept you too long and only the importance of this issue is my excuse. It has been my object to reaffirm to you my own faith in the federal ideal: and the importance that in my judgment attaches to its early realization. Provincial autonomy and its working have in a sense been a touch-stone. I claim that we are entitled, in the light of the working of provincial autonomy, to be of good heart when we contemplate the working of federation. Provincial autonomy and federation, essentially and intrinsically parts of one another, represent a great decision, all the more significant when outlined against the background of world politics. That background is more sombre by far in 1938 than it was in 1935. But the darkening of the background, the emphasis on totalitarian ideologies, have made no difference to the attitude of His Majesty's Government towards Indian constitutional advance. Their policy is unchanged, they remain of opinion that in the interests of India as a whole as well as from the point of view of individual units, whether states or provinces, the ideal embodied

in the act is that best calculated to achieve results of real and permanent value alike to India and the component parts of the federation.

Mr. President, you referred in your remarks to the appeal which I made when I addressed you a year ago—an appeal for goodwill and patience, for their response to which I am profoundly grateful to your members.

To-day I would make another appeal—an appeal to India for collaboration, and I would make that appeal even to those who may sincerely doubt the value of the federal scheme, for I am confident that experience will justify my own profound belief in it. I would make an appeal for trust—trust in the sincerity of those by whom the scheme has been devised, trust in the goodwill and the good faith of those by whom it falls to be carried out. I would make an appeal finally, for patience and for a realisation of the difficulties of others, and I would ask again that, in considering the problems, whether of individuals or of units, the fullest weight be given to all the attendant circumstances.

The responsibility to India of all of us who have it in our power to make any contribution to the achievement of the federal ideal is heavy and immediate, and it is no light reassurance to me, gentlemen, to feel that in whatever effort I may make to bring it into being without delay, I have your goodwill, and your understanding, sympathy and support.

#### Resolutions—High Level of Taxation

After the Viceroy's speech, the hon. Mr. H. G. Stokes (Bengal Chamber) moved a resolution drawing the attention of the Government of India to the high level of taxation in this country which was made more serious by the unjustified continuance of temporary taxes imposed to meet emergency conditions. He urged the Government once again to conduct early a review of the incidence of taxation from whatever source it was arising and both direct and indirect.

#### DIFFERENCE IN PROVINCIAL LEGISLATION

Mr. G. L. Orchard (Madras) by a resolution drew the attention of the Government of India to the serious effect on the industry and commerce in this country likely to be caused by the differences in provincial legislation and the necessity for the establishment of some machinery of co-ordination in these matters so as to ensure uniformity. He hoped that the Association would urge on the Government of India the necessity, either of bringing together the provincial Governments to discuss their proposals in order that a common policy could be arrived at, or of undertaking these forms of legislation themselves. If this were done all the interests concerned would get together in order to devise what was workable and best.

#### VARIOUS RESOLUTIONS ADOPTED

Mr. U. N. Sen (Punjab Chambers) moved the following resolution :—

The Associated Chambers of Commerce of India record their appreciation of the Viceroy's address upon the federation and cordially assure him of their full support to the principles of his speech.

On the motion of the hon. Mr. Somerset Butler (Burma Chamber) the Association invited the attention of the Government of India and Burma to the long delay in completing reciprocal arrangements between the two countries under Section 44 of the Indian Civil Procedure Code whereby the decrees of the superior courts in India should be enforceable in Burma without the necessity of obtaining fresh decrees in Burma courts and *vice versa*. The Association recommended the two Governments to take immediate steps to complete the necessary arrangements and bring them into force.

The meeting also adopted a resolution on the motion of Mr. N. W. Chisholm (Bengal Chamber) drawing the attention of the Government of India to the extent to which the present high rate of stamp duty on inland currency bills restricted the use of such bills in the finance of inland trade and agriculture in this country and bringing to the Government the desirability of considering independently the question of stamp duty on the cheques, and the Reserve Bank of India's recommendation that the rate of duty on Bills of less than one year's usance should be reduced to two annas per thousand rupees.

#### Resolutions—2nd day—Calcutta—20th December 1938

The Associated Chambers of Commerce concluded its session to-day. The session was noteworthy for an important resolution moved by Mr. H. Hors-

*man* (Upper India Chamber) urging stringent precautions against communism. He moved :

'Despite the fact that certain provincial Governments severely discountenance the communist activity within their borders, the spread of communist propaganda continues in India. The events of the past year have shown that incalculable damage is being done to industries in the country and to workers dependent thereon by the dissemination of the communistic doctrines and the intimidation whereby it is accompanied. This Association therefore calls upon all Governments concerned to ensure the enforcement of more stringent precautions to discourage communism by all means in their power in the interests of industrial progress, general peace and welfare of the country'.

#### MARINE INSURANCE

By another resolution moved by *Mr. A. K. G. Hogg* (Bombay) the Association urged upon the Government of India the necessity of enacting legislation in British India embodying the provisions of the Marine Insurance Act 6 of 1906 and amending the sections 6 and 135 of the Transfer of Property Act, 1882, so far as they conflicted with sections 50 and 79 of that Act, which provide for the assignment of marine insurance policies either before or after loss and for the right of subrogation respectively.

*Mr. A. Mackintosh* (Bombay) moved a resolution on registration of trade marks. The resolution which was seconded by *Mr. C. W. Tosh* (Upper India) and supported by *Mr. F. C. Guthrie* (Bengal) was passed. The proceedings then terminated.

## The All-India Medical Conference

15th. Session—Meerut—27th. December 1938

### Mrs Pandit's Opening Speech

The 15th. session of the All-India Medical Conference was inaugurated at Meerut on the 27th. December 1938 by the hon. *Mrs. Vijaya Luxmi Pandit*, United Provinces Minister of Health. The Conference marked the 10th anniversary of the creation of the Indian Medical Association.

The aims of the Government of the United Provinces in regard to providing the people with medical service and the Government's attitude to the medical profession were set out by *Mrs. Pandit* in her inaugural address.

"Since the Congress Government came into power," *Mrs. Pandit* said, "it has been our earnest desire to reorganise the Medical Services so that the greatest number of people could receive the greatest amount of help from our medical men, and also to make such alterations in the system as would turn it into a well-balanced organisation and not a top-heavy structure as it is at present."

This was easier said than done, she declared. Important items, which were responsible for the present unbalanced condition of the system, were reserved subjects under the Government of India Act and might not be touched.

*Mrs. Pandit* expressed her entire sympathy with the demands made from time to time by the Medical Conferences. "But alas!" she said, "the working of a Government, as I have learnt to my despair, is a lengthy process. With the best intention in the world it is months and sometimes years before any practical effect can be given to the demands of the people."

The hospitals of the U. P. declared *Mrs. Pandit*, were rapidly becoming, a disgrace to the Province. This was primarily due to the lack of co-operation between the public and those in charge of the hospitals. In order to remedy this bar to progress, the Government had decided to form Hospital Committees in all the large towns and thus give the public a hand in the management of their own hospitals.

*Mrs. Pandit* admitted that medical aid in rural areas was still practically non-existent. "Yet in the few places where dispensaries do exist, they have not earned the popularity which they should have done". In the case of both the hospitals and of medical aid in rural areas, "what is required is a change of mentality on the part of those men and women who are in charge".

"The question of the I. M. S. is one which had caused natural resentment in the medical profession especially the resolution of the Defence Department of the Government of India which insists on our giving employment in our provinces to 16 British officers of the I. M. S.", said Mrs. Pandit. "We have no quarrel with these officers, but our Government has made an emphatic protest because of the principle involved. There is no reason why, other qualifications being equal, the claims of the Indian should be set aside in his own country while all facilities and inducements are offered to persuade Englishmen to come out and serve in India".

Mrs. Pandit concluded with an appeal to the Indian medical profession to take a wide view of the question of bringing foreign doctors into India. "The only idea behind the suggestion of extending help to a few of the unfortunate Jewish doctors", she explained, "has been to secure the services of experts who will serve our country and help to train our own people".

### Presidential Address

The President of the Conference, Dr. George Da Silva from the Central Provinces, in his address to the Conference, outlined the disabilities from which Indian medical practitioners were suffering.

Referring to the Indian Medical Association, Dr. Da Silva said that its progress had not been as vigorous as it ought to have been. The 98 branches of the Association provided only 2,732 members. The United Provinces led with 33 branches; Bengal followed with 28 and the Punjab was third with 14. The two great Provinces of Bombay and Madras, he pointed out, had only eight and five branches respectively.

One of the Association's greatest drawbacks, Dr. Da Silva said, had been the lack of Government favour. The Association had been regarded as a body of political agitators because it had fought for the rights and privileges, the status and dignity of the medical profession. "We are only following," he said "in the footsteps of our brethren in the Western countries without being called agitators."

Dr. Da Silva noted with regret that the Association had not received sufficient support from the medical profession in India. "In spite of Congress Ministries taking over the administration of most of the Provinces our brothers in Government service are either not permitted or are not bold enough to become members of this Association. Whatever the tropicdation of medical practitioners in Government Service, there could be no possible excuse, he said, for those of us who are independent not to join the Association and add to its strength in the cities, in the towns and in the rural areas. The Association, he declared, should be representative of all Medical men in India and should aspire to the status and position of the British Medical Association.

Among the many problems that faced them, he mentioned in particular "the predominant and overwhelming influence" of Europeans in the Indian Medical Service. "What I do not believe," Dr. Da Silva said, "is that colour has any limits of caste, creed or colour, nor can I admit that we are in any way inferior to our European colleagues."

If wealthy men of public spirit had built hospitals in sufficient numbers, "there is no doubt that our work in medical, surgical and other departments would have been of a much higher standard and we would not now have to depend on Western countries for research work."

The facts proved, Dr. Da Silva asserted, that "the interest of the European I. M. S. in India is nothing but transitory and mercenary", and he pointed out that "even for tropical diseases, we have even now to depend on our Western brethren to increase our knowledge in pathology and treatment".

"The Congress Ministries have so far acted with undue caution", he said, "in giving us practically no more opportunity than the meagre facilities we already had before their coming into office".

In connection with the growing unemployment among medical men, Dr. Da Silva suggested that it would go to the credit of those, particularly young men, who went into the villages to earn a respectable, if meagre, living.

The President referred to "the intense provincialism that had followed in the track of Provincial Autonomy", and averred that it would cause duplication and waste

in the matter of medical education. "As it is", he said, "we are working in narrow and parochial grooves and greatly need wide vision; but our spirit of provincialism threatens to render our outlook as narrow as it could be".

Dr. Da Silva propounded two reasons for the deficiency of research work in India. Firstly, he said, the hospital authorities did not sufficiently encourage it and even those medical practitioners who were in easy circumstances were loth to sacrifice any part of their practice; secondly, the I. M. S., and others who were in a position to prosecute research lacked either the time or the knowledge.

Referring, in conclusion, to the legislation that had recently been devoted to indigenous medical sciences, Dr. Da Silva advocated the creation, after a thorough inquiry, of a system of medicine, compounded of all the various indigenous practices in use to-day. Much harm was caused, he said, by trying to separate into different departments, the Allopathic and Homeopathic, Ayurvedic and Unani systems of medical treatment.

### Resolutions

Disapproval of the appointment of non-nationals as doctors in India was contained in one of the resolutions passed by the Conference.

"In view of the attempts now being made in some parts of India to appoint medical men, who are non-nationals, mainly on humanitarian grounds", says the resolution, "this conference, while sympathising with their sufferings, is of opinion that in view of widespread unemployment in the medical profession in India, no appointment be made on such grounds. This Conference is further of opinion that in view of the prevailing laws of this country regarding medical practice, no medical man—expert or otherwise—should be appointed by the Central or Provincial Governments unless they come from countries with which Indian nationals have reciprocity in matters of medical practice. This Conference further protests against the great and unrestricted influx into this country of doctors from such countries and requests the Government of India to prohibit the immigration of such doctors into India".

By another resolution the Conference welcomed the appointment of the National Planning Committee by the Congress Working Committee and recommended that it should include in its terms of reference schemes for the manufacture of drugs and medical appliances in India for the requirements of the country.

The Conference also urged upon Provincial Governments the need for prescribing a minimum standard of preliminary general education for persons intending to practise indigenous systems of medicine.

The Conference further passed a resolution requesting Provincial Governments to take early steps to establish a uniform standard of medical education in the country.

A resolution noting with concern the increasing evil of "quackery" in the country and the use by unqualified persons of various designations and letters emulating recognised medical degrees and diplomas, and requesting the Central and Provincial Governments to protect the public and the medical profession from this evil was adopted by the Conference.

# **Educational Progress in India**

*JULY—DECEMBER 1938*



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# Educational Progress in India

## The All India Educational Conference

Fourteenth Session—Bombay—27th. December 1938

### Mr. Kher's Opening Speech

The hon. Mr. B. G. Kher, Prime Minister of Bombay and Minister in charge of Education opened the 14th session of the All-India Educational Conference at the St. Xavier's College, Bombay on the 27th December 1938. In the course of his speech Mr. Kher observed:

"If we wish to create a better world, it is necessary that we should clearly visualise what type of man or woman we desire to educate a child into, and attempt to mould our system of education consciously for achieving that end. I am sure conferences like yours are designed to answer this purpose".

Continuing Mr. Kher said: "The problem of education has of late assumed such an importance in our country that only an all-India Institution of educational experts like yours can hope to provide satisfactory solutions to the various problems of an intricate nature which confront us.

"As in nine out of the eleven provinces in India the Congress holds political power and the problems of education can be solved on a common basis and the application of common principles, you will admit that it is a unanimity of opinion, which is hard to obtain and is of great value, from which you will derive great encouragement.

The present system of education, Mr. Kher said, was highly artificial and had no real relation to the life, tradition, culture and environment in India. "Consequently we are living in an atmosphere of awkward unreality. The finished products of our educational machinery become aliens in their own country. They are unable to speak their own language and they do not like to wear their own dress". The Premier quoted from the report of the Zakir Hussain Committee, and said that modern education in India was neither responsive to the realistic elements of the present situation, nor inspired by any life-giving or created ideal. "It does not train individual to become useful productive members of society".

"We must evolve", Mr. Kher continued, "a common form of education for a common citizenship. We must so fashion our educational machinery as to balance the intellectual and practical elements of their experience and make the young man an active and intelligent member of society taking interest in all its activities and fulfilling himself in many ways".

The Premier refuted the idea that the Congress was opposed to modern educational theory and explained how the Wardha scheme had for its basic principle the accepted doctrine of education through creative activity. "But we refuse to import here educational principles, however modern they may be, without considering their suitability to our society and to our national needs. And it is probably in this regard that the Wardha report offended the educational experts in this country".

The Premier next explained the educational policy of the present Government and hoped that the Conference would have valuable suggestions to make in the matter and on the means of imparting instruction through the mother-tongue.

The Premier lamented the lack of facilities in this country for the education of the child in the pre-school stage.

### MR. CHANDAVARKAR ON EXAMINATIONS

In requesting Sir T. Vijayaraghavachari to take the chair, Mr. V. N. Chandavarkar, Chairman of the Reception Committee said that the present era in this country was prolific of educational ideas. During the past four or five years education had remained in the forefront, so many schemes had been chalked out, and so many unmade. There was a significant tendency, or rather a fashion to run down the present scheme of education. Laboratories and workshops were prescribed for the pupils. He would not go into the many details, which, he hoped, the

conference would discuss but he would say this much, namely, that the object of university life should be to bring about a feeling of oneness amongst the boys and girls. He expressed his abhorrence of examinations, for they tended to kill the social conduct of the teacher and the taught. The present position was far from happy, for the principals and heads of institutions looked from only one angle of view, i. e. how many first classes and prizes a particular school could annex. He stressed the importance of the "quality of teaching rather than the quantity".

### Presidential Address

Sir T. Vijayaraghavachariar, in his presidential address, dealt at length with the teachers' part in shaping the destiny of the country, and emphasised that one of the most valuable functions which the teaching profession in India had to discharge was to implant in the minds of young Indians the democratic habit of obeying the law which their own countrymen had made and charged with the duty of enforcing.

"The teaching profession", he declared, "must, in the new conditions of India, play a very prominent part. These conditions, apart from the transfer of power that has been effected, have an educative value in rousing the masses of the country to a consciousness of their rights and their right part in the Government of their own country. It is for you as teachers to lead this new spirit into fruitful channels and so to train the young men in your care that they will become wise leaders in future."

Sir T. Vijayaraghavachariar welcomed the fact that the Conference had a prominent Section on "Internationalism and Peace", as anything which promoted the knowledge of other races and countries in young minds was to be welcomed. He said that Europe had reverted to mediaeval conditions and in Europe the law of the nations had been replaced by the law of the jungle. This was the work of the authoritarian regimes, which had secured for their nations an increased status in the councils of the world. Racism was playing a prominent role in everyday life in Europe to-day. A few years ago, India could perhaps lead a life of comparative isolation, but to-day she could no longer escape the influences of the outside world. Therefore, it was time that they looked about and strengthened their intellectual defences so as to protect the system on which their institutions had been built and one of their main defenders must be the teachers to whom had been confided the task of educating the young.

Sir T. Vijayaraghavachariar emphasised the need for changing the educational system in India to change in accordance with political advance in the country. He asked: "Has our system of teaching, fixed in unregenerate days, been altered to correspond with the present democratic age? Has it been readjusted to meet the necessities of the case, where in the provinces power has been transferred from a small bureaucracy to thirty millions of electors? Are the teachers able to reconcile, to the satisfaction of the young Indian mind, advancing democracy with the claims of progress and efficiency? The old bureaucracies claimed that they were efficient. The new totalitarian regimes make an equally insistent claim that they are efficient. If we consider calmly and dispassionately the history of India prior to the establishment of the bureaucratic regime, or the history of the totalitarian countries prior to the establishment of the authoritarian regime, we are bound to concede the claim."

"How is the rising generation in India to be taught that democratic government is not inconsistent with the efficient maintenance of law and order and with the demands of progressive administration? How are the young men in our educational institutions to be made to feel that the enthronement of the popular will in the seats of power does not mean the stereotyping of existing ideas, practices and prejudices? Impatient idealists, in a hurry for reform, long for a dictator to cure all existing ills."

"A special case here arises for consideration. I am told practically in every province of modern India that since the Montagu-Chelmsford reforms of 1920, communal bitterness between Hindu and Muslim has been intensified. The blame is put on democracy. It is obvious that in a country like India, toleration of each other's practices in the matter of eating, dressing and worshipping is a fundamental condition of orderly government. How is this to be inculcated in the young? We of the present generation of Hindus and Muslims have clearly demonstrated our inability to live in peace with each other. How is the teaching in our schools and colleges

to be directed to the elimination of a feeling which if persisted in must be fatal to democratic government in the provinces where the feeling exists in a chronic form?"

### Resolutions

The Conference passed over 70 resolutions covering all aspects of education.

The main resolution of the Conference expressed the view that "one of the aims of National Education in India should be to prepare the country for a fully democratic Government."

The Conference disapproved the policy of retrenchment and entrenchment of educational facilities, characterising it as detrimental to national welfare.

By another resolution the Conference demanded that there should be a fully representative and autonomous Board of Education in the British Indian Provinces and Indian States to control and co-ordinate all educational activities.

The Conference urged the formation of a Teachers' Council on the lines of Bar and Medical Councils in all Provinces and States.

The adoption of mother tongue as the medium of instruction in all stages of education was urged by another resolution. The use of educational films and additional grants for visual and rural education were demanded.

The need for introduction of compulsory military training in all secondary schools and colleges in India and for making provision for free and compulsory education for all adults in the country were emphasised by two other resolutions.

The Conference demanded that provision for the teaching of Hindusthani should be made in all schools.

The Vocational Education section of the Conference emphasised the need for not neglecting cultural interests and demanded that physical education should receive adequate attention in pre-vocational and vocational schools. Health education was demanded as a part of school curriculum.

The International and Peace section urged that every possible means should be adopted in all educational institutions for the purpose of emphasising the essential unity of mankind and establishing inter-communal peace and international relationship.

The joint session of the University and Secondary Education sections passed the following resolutions :—

(1) This Conference urges that the consensus of opinion on this subject, as expressed by the Punjab University Enquiry Committee, the Combined Universities Board for India, the Central Advisory Board of Education and the Abbott Wood Report be now put into effect by the reorganisation of higher general education into two periods of three years each : (a) Higher secondary course, and (b) Bachelor Degree course, in place of the present system of two years each—high intermediate and bachelor degree courses—the length of the whole educational course not being increased thereby.

(2) This Conference is of opinion that there should be three well-defined stages in the whole system of education : (a) Pre-primary education up to the age of seven. (b) And basic education up to the age of fourteen—very much like the Wardha scheme, in which not more than half the time to be spent on the craft chosen. (c) Secondary education—three years. It is to consist of two types : (a) Predominantly literary ; (b) Predominantly vocational. But every pupil should have something of both. (d) University education—three years course leading to a first degree. This should consist of various literary and technological courses, so that even those whose secondary education was predominantly vocational may have an opportunity of continuing and protecting their studies in the University.

## All-India Muslim Educational Conference

51st. Session—Patna—1st. October 1938

### Presidential Address

His ideas and ideals regarding the special problems of Muslim education in order that the conference might be able to enunciate and place before the community and country a uniform policy with regard to the education of the Muslim community, were set forth by Mr. A. K. Fazlul Haq, Bengal Premier, presiding over the 51st session of

the all-India Muslim Educational Conference, which commenced at Patna on the 1st. October 1938. Mr. Fazlul Huq explained the Muslim conception of religion which, he said, included every human activity within its scope including politics, social work and educational advancement. He was against the modern western education, but the ultimate aim of education to every Muslim was the advancement of the cause of Islam.

Proceeding, Mr. Huq accused the Congress Governments of various provinces of being communalistic in their outlook and subjecting Muslims to Hindu religious influences. He criticised the Wardha scheme of education at length, saying that its defects outweighed its advantages. The chief objections to the scheme were manual labour by children which would affect their health besides being an uneconomic position. Moreover the scheme would produce men and women of no outstanding intellectual ability.

Turning to the Hindi-Urdu controversy, he claimed that Urdu was pre-eminently suited to be the *lingua franca* of India as it was understood by a large number of people and had established a literature of its own. He accused the Congress of communalism in endeavouring to establish Hindi as the *lingua franca* of India. Regarding female education, he maintained that the syllabus should be different from that of boys.

The present age, said Mr. Huq, was critical for Muslims and it was comparable only with the times immediately following the mutiny in 1857. He regretted that in several Congress provinces the policy announced by the Congress Governments was opposed to the interests and outlook of Muslims as, for instance, in the Central Provinces where schools were called Vidya Mandirs which wounded the Muslims' religious susceptibilities.

He realised that the Wardha scheme would in all probability be introduced in the Congress provinces, but warned the Congress high command that if the scheme was enforced on Muslims against their will it would not only stand in the way of Hindu-Muslim unity but would widen the gulf between the communities. "The majority communities should realise the necessity of winning the confidence of minority communities by amity and toleration. Our countrymen generally and Congress Governments particularly should consider it their moral obligation to help Muslims to wipe off illiteracy by affording moral and financial assistance." Another point on which Muslims unanimously insisted was the teaching of Urdu and the Congress agitation for teaching Hindi was actuated by communal motives.

Reverting to the Wardha scheme, Mr. Huq said the objectionable feature thereof was that the children would have to undergo physical labour and their hard-earned money would be paid to the teachers. It was incongruous that while on the one hand efforts were being made to modify factory laws so that young children might not be subjected to hard labour, on the other it was proposed to impose hard labour on young school children and besides the articles produced by them would not find a market. Under the scheme the school would be turned into factories or ashrams which would hardly retain the character of an educational institution since the objective of one was entirely different from the other. To lay stress on the economic aspect and at the same time to expect cultural development would lead to logical fallacies.

Proceeding, he explained the Islamic conception of education which catered both for the material and spiritual development. He urged that the representation of Muslim teachers in all schools should be adequate so that the development of the mind of Muslim children might not take place exclusively in non-Muslim surroundings. Muslim children should not be compelled to learn music and sing *Bande Mataram* since both these were against the principles of Islam. Regarding co-education, the Muslims would not advocate the same for girls over nine years. Concluding, he said that in view of their educational backwardness, it was desirable that the Muslims started a national fund to which all the rich and poor should contribute a fraction of their income. This would help them to tide over many of their difficulties.

#### Resolutions

Completely rejecting the Wardha scheme the conference reiterated that there should be an arrangement throughout the country for free and compulsory education which should be eight years for boys between six and 14, and six years for girls between six and 12.

This resolution, moved by Dr. Sir Ziauddin was passed by the Conference on the next day, the 2nd. October. The resolution added that there should be separate arrangements for boys and girls and the medium of education must be the mother-tongue namely, for the Muslims of Northern India the medium should be Urdu, while in the provinces where the Urdu language was not prevalent the medium should be the language of that province. But every student should be taught Urdu as a second language.

Regarding the script the Muslims should be allowed to learn the language through the Urdu script. The Urdu language means the language spoken and understood by the Hindus and Muslims in ordinary education in Northern India. Vocational and technical education should be made of central importance while other educational programmes should be according to the social nature and atmosphere of the student intertwined with the vocation. Religious education should be arranged for Muslim boys, if required by the parents. For students who want to acquire English education through high schools and colleges after the age of 11 there should be correlation between basic and secondary education and the present facilities should be allowed to stand.

## The All India Muslim Students' Conference

### Mr. Jinnah's Opening Speech

There were three forces in the country: the British, the States and the Congress. The time had now come to give a battle to all these forces and the sooner young men made up their minds to do so, the better for them, observed Mr. M. A. Jinnah, inaugurating the All-India Muslims Students' Conference in the Muslim League pandal, Patna on the 29th. December 1938.

Criticising the Congress at length, Mr. Jinnah said that young men had been deluded into believing that the Congress fought for the freedom of the country and the masses, and that the Congress would turn the country into a land of milk and honey. But now it was amply evident that the Congress said one thing and meant another. Mr. Jinnah strongly repudiated the various charges and criticisms levelled against him, such as being a communalist, a fanatic and an ally of Imperialism, seeking personal gratification in the face of the gravity of the problems facing the people, especially the Muslims. Referring to the negotiations with the Congress for a settlement of Hindu-Muslim question, and the political status of the League, Mr. Jinnah said that the Congress had offered terms which were unjust and prejudiced: if any were not accepted the Congress was not prepared to come to terms. The Muslims, too, were not prepared to accept the Congress terms. They were not satisfied with anything less than perfect equality. The Congress claim of being the only body to represent the entire country was preposterous. India was not a nation yet, but a counter of a nationalities. With regard to Federation, Mr. Jinnah warned young men against being deluded by the Congress declaration that they did not want Federation. He added that the Congress had declared that it would not accept the new constitution, but was now embracing it.

Proceeding, Mr. Jinnah asked what the Congress had done for the masses. Was the country turned into a land of milk and honey? What had Mr. Rajagopalachari done in Madras? The enforcement of Hindi was strongly resented by the Hindus themselves, and the people resorted to the same Satyagraha which the Supreme High Command of the Congress (Mr. Gandhi) preached. This was met by lathal charges. Thus had the Congress demonstrated that it was fighting for civil liberties until they joined the Congress. At least, this was what it intended.

Reverting to Federation, Mr. Jinnah referred to the observations of Mr. Jawaharlal Nehru and Mr. Gandhi, the former saying that the enemies of Englishmen were his enemies, and the latter saying that he would shed his blood if Englishmen's blood was shed. Various Congress leaders had something to say about Federation, but why did not Mr. Gandhi have anything to say? He would answer: because he was not even a four-anna member of the Congress, he did not represent the Congress at all, he was only the "Supreme High Command of High Commands."

Proceeding, Mr. Jinnah said that when he (Mr. Jinnah) had started his political career, he was persistently attacked as being a communalist. Later on,

when he established a certain amount of contact with the masses, he was criticised as being a fanatic, responsible for exciting communal passions. Later still he was accused of being an ally of imperialists. It was considered a crime to utter the word "Islam". People did not understand the meaning of "Islam" when they criticised him for safeguarding the Islamic religion, which was in danger. Islam was not only a religion but an institution, comprising a complete code, moral, social, economic and political. He only wanted men to progress along these lines. If he wished for self-gratification and if it was such an honour, he would say he had been offered the Congress Presidentship if he joined the Congress. He had once believed that the Congress was carrying on a real national struggle for freedom. But then he was young, susceptible and carried away by catchwords. The Congress placed false ideals before the young men in the country which served as a cloak for its masquerade, but it now stood revealed. He, therefore, reiterated his warning to young men not to be deceived by the empty talks of the Congress.

Concluding, Mr. Jinnah appealed to young men not be deluded, but to assert themselves and be prepared for sacrifices for the advancement of the community and the freedom of the country.

### Presidential Address

The menace to democracy by the totalitarian states was evident at Munlo, which saw the triumph of the idea of the effectiveness of force, declared the *Raja of Mahmudabad*, presiding over the Conference.

As regards the duties of Muslim students, the Raja said: "We are accused of isolating ourselves from other communities in our country and using fear and hatred as our weapons. It is for you, educated young men, to disprove the charge by deeds." The Raja made a plea for strengthening the Muslim League, saying that he had found a spirit of antagonism against Muslims in the country. He further explained that the League wanted peace and justice, but peace and justice were words without meaning, if there were no sanctions to enforce them. He urged the students to devote their holidays to adult education and said that the removal of illiteracy was a very laudable object and the labouring and agricultural classes claimed the spare time of educated young men.

Concluding the President said, "You who have the future in your hands must not forget the past and its tradition but the traditions of the past must not forget chains which hold you back."

## The U. P. Students' Conference

### Second Session—Allahabad—29th. October 1938

The second session of U. P. Students' Conference took place at the Mayo Hall, Allahabad on the 29th. October 1938 under the presidency of Dr. *Mulkraj Anand*. There was a large gathering, besides students, when the open session commenced, prominent among them being Pandit Amarnath Jha, vice-chancellor, Prof. K. K. Bhattacharya, Dr. Hussain Zahur of Lucknow University, and others. Mr. Gopal Das, chairman of the reception committee, welcomed the delegates and distinguished visitors in a short speech pointing out that the U. P. Students' Conference was in its infancy and that they would draw up a programme for the youth of the country.

### Mr. K. F. NARIMAN'S ADDRESS

Mr. K. F. Nariman, who received an ovation when he rose to speak, said that though he had visited Allahabad several times, this was the first occasion when he came in direct contact with an association of students. He always felt more at ease when he was in the company of students. He reminded them that youth activities were started in this country about ten years ago. They had in every province, in every city, youth leagues, students' organisations and they were very active. The success of the Simon boycott was chiefly due to the student community. Unfortunately, on account of the political upheaval, there was slight disruption, disorganisation in the student movement. He was glad that after an interval of some years the students of the country were reorganising in a proper manner. He had not the

slightest doubt that if there was a proper organisation among students the fate of the coming Federation would be the same as the fate of the All White Commission (Loud cheers). He considered that organizations and conferences like this were more important than political organisations and political conferences. Because, if they examined the history of all revolutions in the world, in the East or in the West, it was the students, the youth of the country who brought about and worked the revolution successfully. He instanced Germany, Ireland, China, Russia. In all these countries the students made their destinies. He had not the least doubt that the destiny of this ancient land would be made and framed by the youths and students alone. He urged the students to get rid of the inferiority complex from which they were suffering. What the students in Germany, in Russia, in China could do, they in India also could achieve the same thing. So far as the spirit of nationalism, patriotism and courage was concerned Indian students were a match to any students in the world. It was only a question of opportunity, of organisation, unity and leadership. Incidentally he remarked that Hitler was the one man who had revived Germany within an incredibly short time and brought it to the present level which she occupied to-day. After the last war every body thought that Germany would not rise again for centuries to come. He concentrated upon the youth and the student community of Germany and organised them in a remarkable manner. He did not care whether they took their degrees or not or whether they got through their examinations. He wanted every young man between the ages of 16 and 19 to become a fighter for the honour and self-respect of his country.

Proceeding, Mr. Nariman said that the object of conferences like this was to equip them for the future task of citizenship, to make them soldiers of Swaraj. Degrees and diplomas would not help in freeing them from their political bondage. The fault was not with the student community. It was the fault of the pernicious system of education which had been imparted in this country. The object of the western education was to make them loyal citizens, to be mere clerks without any initiative. What was the value of their degrees when hundreds of M. A's and LL. B's applied for a single post carrying only Rs. 30 or 40? He exhorted the organisers of the conference to have a broader vision and wider outlook. Their objective must be freedom of their land. He was confident that if the students were brought together in their early days, in common playground, in class-rooms and cosmopolitan gatherings there would be no communal quarrel at all. Mr. Nariman advised the students to give up all sectarian labels. They all belonged to this great land. The real type of national education, according to him, was that students should undertake educational trips. He also asked them to undertake educational trips during holidays to places like Mohenjo Daro and see the India of the past as revealed by the excavations there. They must also remove the cause of illiteracy from this land. Every one must engage himself in some sort of voluntary public service.

#### MR. SUBHAS BOSE'S MESSAGE

Mr. Subhas Chandra Bose in the course of his message to the conference said :

I have always had a close touch with the student movement in India and for various reasons. My experiences as a student convinced me years ago that students must have an organisation of their own, if they want to exist as self-respecting individuals and prepare themselves for their future career as citizens of a great country. When I ceased to be a student in the narrow sense of the term, I resolved within myself that I would do very best to lend a helping hand to the future generation of students, if and when the necessity arose.

Students all over the world, regardless of their national barriers, look upon themselves as a fraternity and rightly too. It is not a mere truism that the students of to-day are the leaders of to-morrow and that they are the living embodiment of a nation's hopes and aspirations. The students represent, as a rule, the most idealistic part of a nation and it is because of their innate idealism that the students of the world feel that they are members of one great fraternity. It should be our duty to foster this sense of solidarity among our students, so that through them, the Indian people may be welded into one nation for all time to come.

The students of a free country enjoy the rights which free men and free women usually enjoy but this is not the case with our students. Our students suffer from the handicaps which members of a subject race cannot avoid. They are looked upon

as minors by their guardian at home and outside and, by the state, they are usually regarded as political suspects. (Things have improved since the Congress Governments came into existence). In such circumstances, students must learn to help themselves. They must insist on being treated as grown-up men and women and demand those rights which members of a free nation are entitled to.

Not infrequently, students come into conflict with the authorities, both educational and governmental. Conflicts with the Federal authorities usually arise when they are denied their rights as students and with the governmental authorities when they are denied their rights as citizens. In either case, students can hope to vindicate themselves only when they are properly organised. Organisation, therefore, is their first and foremost task. Students' Conferences can be of lasting benefit only when they afford impetus. Organisation for vindicating students' rights is not, however, enough. Organisation should also aim at providing physical, intellectual and moral training so that students may, individually and collectively, turn out to be better men and better citizens.

I am most decidedly of opinion that the platform of the students' movement should be a broad-based one and should be open to students of all shades of opinion. It would be a disaster if students belonging to a particular party or group or ideology were to attempt to capture office to the exclusion of other students. If this happens, the students' movement will split and several students' federations will come into existence. In your deliberations, hold aloft before your eyes the ideals of liberty, equality, fraternity and progress and remember always that liberty means emancipation from bondage of every kind—political, social and economic.

## The Mysore Students' Conference

### Presidential Address

The session of the Mysore Students' Conference was held at Mysore on the 15th. October 1938, under the presidency of *Sj. Sarat Chandra Bose*. In the course of his address *Mr. Bose* said :—I respect and love youth for this active principle, which is inherent in its very nature. I respect and love it for three things ; its idealism, its courage and its unconquerable urge towards finding an outlet for idealism in action. As a matter of fact I look upon this last as the most priceless gift of youth, for without the impulse to translate ideas into action, all the simmering intellectual and moral life of youth, all its treasures of faith and hope would be condemned to mere idle day-dreaming.

In speaking of the idealism of youth I make a distinction between having vision and being a visionary, and to my mind the distinction is fundamental. Vision enables us to rise above the distractions and irrelevancies of immediate circumstances and keep our hold on essentials, while a visionary, by divorcing his ideals from reality, has foredoomed himself to a barren career. Idealists so utopian that they have no moorings in the workaday world or so feeble that they dare not take up the challenge of reactionary forces, are of no value in the onward march of humanity. They only help weak individuals to fly from reality and weave about themselves unsubstantial reveries of wish-fulfilment. It has given me a deep pain to observe the signs of this morbidity in certain sections of the youth of India. I appeal to the youth of India to welcome toil as the hero's portion in life and become workers in the noblest and widest sense of the word. In this conference, however, I am glad to be able to say, I find no ground for misgiving. There is no sign among you of enfeebled purpose, wavering faith or waning enthusiasm.

The first of the great considerations which await solution at our hands is the realisation of the essential unity of India. The moment we begin to think of organising the economic life of India on a sound basis or of defending her against foreign aggression, our schemes are sure to break the bounds of provincial demarcations till they embrace the entire region marked off from the rest of the world by the great mountain barriers on the north and the seas on the other sides.

The diversities in Indian life are not the result of self-conscious effort, they have not yet hardened as in Europe into regional nationalism ; they really spring from uneven evolution due to the immense area of the country and difficulties of communication in the past. Their natural trend is, therefore, towards coalescence and unification. It is my belief that this trend will be strengthened by the industrialisation of India which is inevitable. Modern industrial technique requires for its

profitable employment a large area and ample resources in raw material. Soviet Russia and the United States of America are striking examples of the truth of this assertion. India offers industrialism a field comparable in many respects to Russia and the United States, and I have already told you that sooner or later industrialism is bound to come to us and upon us. This to my thinking will have a decisive effect on the problem of Indian unity. The industrial revolution will pass over India like a steam roller flattening out all the petty diversities which at this hour cling to their separate existences and impede the full growth of the Indian nation.

The desire for unity is not a new yearning in India nor the process of unification a recent growth. The one came into being and the other began long before the times for which we have epigraphic records. Both are symbolised in the great Aswamedha sacrifices enjoined in the Vedas. The process of unification continued through many vicissitudes. At times the forces of disruption secured a passing triumph but again the cohesive forces asserted themselves. In the sum-total, however, there has been no putting back of the clock but always a steady gain and to this gain both the foreigner and the Guptas, the Rajputs, the Turks, the Moghuls, and the British, have all contributed. But strange as it seems, it is during British rule, when the process of unification appeared to reach its final consummation that the whole movement was suddenly and abnormally arrested. India is divided to-day into two arbitrary parts—an Indian India and a British India. An absolute Power with all the forces at its command has not only created the arbitrary division but also professes to guarantee the unnatural status quo.

If there are any positive political forces working in India to-day, they are two, first, the determination to win freedom for every Indian wherever he lives, and secondly the yearning for the coalescence of peoples who speak the same language and share the same culture. But neither the British Government nor seemingly the States, seem to be aware of the strength of these forces. If they did, they would not have proposed a Federal Constitution which violates the fundamental assumption of federalism by seeking to make federal components of units which, in the first place, have no natural existence as separate entities and secondly, are not uniform in their internal political development and organisation.

I am, of course, aware that the theorists of the proposed Indian Federation argue that Federation merely connotes a special form of organisation among various component units and should in no wise be confounded with the nature of their internal government. This, however, is a refinement of illogicality which will convince no one. The theories of the Divine Right of Princes and of the Sovereignty of the people will simply not live in amity side by side in India, as they have not lived anywhere in the world. The desire for freedom has a self-propagating energy, which recognises no artificial barriers. This is a fact which everyone in India should do well to bear in mind.

The extension of popular government in the States is likely to have a profound effect on the character of the Indian Federation. Speaking of the probable consequences of the establishment of democratic institutions in the States, an Indian Prince says, one possible result of that eventuality will be "a movement among the different States for geographical readjustment of the territories of the various States, or even for an amalgamation of a couple of conterminous States into one State. The example of the unification of Italy is notable, and it exactly points to us the possible line of action the people of the various States might take. The situation in India will be much easier than what it was in Italy. The political ties and bonds, which will grow with the inauguration of the All-India Federation, and the great nationalistic ideals are bound to carry the people by storm. Moreover, it must be admitted that only a very small percentage of the States can claim a great historical past and real political and cultural unity which could save them from being amalgamated with others. The utter failure of the Princes to create local patriotism by means of political histories of their States and their dynasties is bound to react on the future. The All-India outlook of the States' subjects is growing and is definitely displacing all thoughts and ideas of their loyalty to their rulers and more so the political organisation or unit, which has existed for no more than a couple of centuries. The All-India ideals are sure to be encouraged by economic pressure which will increase with the establishment of the Federation. The development of such an extreme situation is not likely to arise within a century or so, and much depends on other political events in India and also on the policy the Princes will follow in respect to their subjects. But whenever this position will arise, the barriers which mark out the boundaries of the

various small States will break down and the people of these States will combine to create a great and powerful State."

I fully agree with this Prince in his clear-sighted anticipation of the future, but I do not think the final denouement of which he speaks is as far away as he conjectures. In my view, the union will come in our time. I believe the future and real Federation of India will come into being through the extension of the principle of provincial redistribution already enunciated and adopted by the Indian National Congress; and it will be on the lines of the Union of Socialist Soviet Republics. The great Hindi-speaking bloc of Hindustan will be its core in the same fashion as the R.S.F.S.R. and its periphery will be formed by the voluntary co-operation of units speaking the other major languages. This will give full scope to the longing for unity and autonomy at the same time which forms the warp and weft of the political aspirations of modern Indians.

The second great consideration is that of the removal of the appalling poverty of the masses of India. The Indian worker and the Indian peasant live a life bereft not only of the refinements of civilisation but even of the means of bare physical sustenance. There is an influential and imposing body of thought which holds the emphatic view that poverty will never be eliminated from human society without the elimination also of capitalism and the classes. Somehow or other, my mind has always shrunk from historical determinism of this kind. I am myself a believer in Socialism, although I am afraid after the confession of my doubts about the inevitability of class-war. My socialism will be labelled as of a very pink brand by those who flaunt its banner of flaming soarlet. Yet, I would repeat, I am a sincere Socialist. If, nevertheless, I have not been able to accept the theory of class-war in its entirety, it is because of a belief that it does not reveal the whole truth of human revolution. Investigation has shown that Nature is not as cruel as she was supposed to be; that there is an unreasoning animal behaviour as much play of the social and altruistic impulse as of stark egotism. Marx could not and did not take full account of this fact. Although it is no reflection upon his genius that he was unable to anticipate coming discoveries, this is a flaw in his argument which cannot be denied.

To the Indian mind, the theory of class-war does not appeal, and this is not due entirely to religious belief, contemptuously termed by Marx the narcotic of peoples. The entire course of Indian history and the unfolding of Indian civilisation have been dominated by the spirit of toleration. This induced us in the past, to seek the reconciliation of jarring elements by love and toleration, and by the same process of harmonisation and co-ordination by which life reconciles all the bewildering varieties of its manifestations on earth. Some of this spirit of synthesis still lingers in us. That is why many Indians, true to the heritage of our ancient civilisation and to the ethics of our national life, recoil instinctively before the notion of class-conflict.

There is one peculiar feature in the Indian situation which makes me anticipate the bloodless introduction of socialism in India and, with it, the peaceful redistribution of material goods among all classes of Indians. That peculiar feature is the want of grit in the privileged classes in India. I do not believe that these classes in our country will ever be capable of organising themselves into Fascists and Nazis in the manner of Western bourgeoisie or offer the same ironized and dour resistance. Those in India who are now seemingly opposed to the larger economic interests of the masses are a weary and enfeebled class. They approximate more to the omigre type, who, if they would cling to their past rights, would not make much of an effort to defend them from others. This is a consideration which holds out some sort of a consoling hope that India at any rate will be spared the painful spectacle of seeing her sons face one another in armed ranks of organised and implacable hatred.

At all events, there is a good deal that we can do before class-conflict comes to India, on the assumption that it is inevitable. India's potential resources for supporting her people have not yet been tapped and worked to a tithe of their capacity. We, therefore, shall not be betraying the interests of the masses if we decide for the present to work within the framework of the existing social order to develop industry and improve agriculture. Perhaps, the full-fledged believer in class-conflict will argue that this is no better than a reformist's palliative, and that his is the better path. Against that I shall set the old saying—a saying much admired by practical men—that the 'better' is the enemy of the 'good.'

I now come to the problem of securing complete independence for India or, Purna Swaraj as it has been called. The Indian National Congress has been striving for this end for more than fifty years. It is my belief that with the Indian National Congress in actual power in all but two provinces of India we have reached a very important milestone in our onward march. In every province in which the Congress is in power, it has been decisively shown that while the Congress would not shrink from the task of Government and would welcome it as an opportunity for bringing about a reconstruction of our national life, it would never tolerate compromise on the issue of independence and national dignity. By doing so, the Congress has proclaimed that office for its own sake possesses no lure for it. Our ultimate success in securing untrammelled power in the provinces of British India is almost assured. We have now to carry the fight a stage further and establish the power of the Congress and with it of the popular will in fields where they do not yet exercise an effective voice. These fields are mainly two, Central Government and the Indian States. So far as Central Government is concerned, the necessary prelude to an extension of democratic principles to that sphere is resistance to the Federal Scheme as it has been drawn up and enacted. At the Centre, the Government of India Act of 1935 bans for all time not solely the control but the participation even of the Indian people in defence and external affairs. This is a denial of the birth-right of a nation in which no Indian with any self-respect, whatever the shade of his political opinion can for a moment acquiesce. No Indian, unless he is false to his country and to his own sense of self-respect, can even discuss the Federal Scheme until these and other objectionable features, are totally removed. I say this with all the emphasis at my command because there has been some underground mutterings of late that, after some minor modifications have been made, the Indian National Congress is likely to accept the Federal Scheme.

Coming now to the question of the Indian States, I would reiterate my belief that the introduction of the democratic form of government in them is inevitable sooner or later. We feel that the freedom movement is likely to be more spontaneous and have a broader basis if it draws its main strength from the people of the States. It is of course unnecessary to add that the Congress organisation in British India would welcome organisations and activities analogous to its own in the states. But it desires at the same time to have them as equals and allies, strengthen one another rather than as mere links in its chain.

The immense hold of the Congress on the people of British India springs from its boundless potentialities for growth and expansion. Dynamic adaptability has ever been the outstanding quality of its outlook and principle. As the years have brought in the haven of new ideas, it has given proof of its capacity for organic growth by responding to these influences. As time marches the Congress will march too. I invite you and through you the entire youth in India to join this onward march.

I appeal to the youth of India to be up and doing, to hold themselves in readiness, to stand at arms, so to say, for another reason also. The acquiescence of France and Great Britain has not placated Hitler, nor is there any reason to believe that Mussolini has abandoned his Roman ambitions. If anything, the Governments and the peoples of the two democratic powers seem to be more determined than ever that their rearmament should be carried to the furthest limit and that there shall be no relaxation of the air-raid precautions. This has only one meaning; that the clash is postponed, not averted.

This clash, when it comes, can have one of two results, and no other. Either the Fascist powers will win and Great Britain and France shrink into minor powers; or there will be an end for ever of totalitarianism on earth following a victory of democracy and liberty. In the latter event, the nominal victors will of course be Great Britain and France, but their victory will have been won by the co-operation and sacrifices of all the freedom-loving elements of the world and not by the out-worn and decadent imperialistic coteries of the two countries. In either case, India will be faced by a fateful situation. With the lessons of the past history of India in my mind I cannot forget that a sudden disappearance, forced or voluntary, of the existing system of government may recall to life all those turbulent anarchic forces which in the eighteenth century made a tragedy of our national life. We shall have to be strong in order to be able to resist these forces, just as we shall have to be strong to escape a renewed spell of foreign domination.

### Resolutions

The following resolutions were passed by the Conference :—

The Conference affirmed its faith in the principles of non-violence and truth and paid its homage to Mahatma Gandhi on the occasion of his seventieth birthday.

The Conference condemned the repressive policy of the Travancore Government and sympathised with Congressmen in their heroic stand in the struggle for freedom.

The Maharaja of Mysore was requested to inaugurate a new constitution for Mysore with full responsible government, to repeal the Press Act, to restore civil liberties, to introduce a Debt Relief Act and Prohibition, to throw open the Muzrai temples to Harijans, and to encourage the growth of trade unions in Mysore.

The Conference sympathised with the people of Hyderabad, Kashmir, Rajkot, and Dhenkanal in their struggle for freedom.

The Conference urged the Government to give free education to girls in the middle school stage. The Education Department was urged to make Hindustani compulsory in high schools, either in the Hindi or in the Urdu script.

The Conference urged the Government to make the regional language the medium of instruction in all grades of education. The Mysore University should make Kannada the medium of instruction.

The Conference demanded the immediate release of all political prisoners unconditionally, in Indian States and British India, whether they were detained with or without trial.

The Conference declared its allegiance to the ideal of independence, adumbrated by the Indian National Congress. As the Federal part of the Government of India Act was retrograde morally, politically and economically, it supported the Congress in their efforts to resist Federation and combat the Government of India Act.

## The Punjab Muslim Educational Conference

A committee to scrutinise the Wardha schemes of education from the Muslim point of view and another to explore all possible avenues to give a vocational bias to the education of Muslims were formed at the Punjab Educational Conference, which concluded its deliberations at Lahore on the 29th December 1938.

The Conference further directed the Working Committee to circulate the recommendations of this committee, when received among the headmasters of all Muslim institutions and other Muslim educationists in the Province and after inviting their opinions, present a consolidated report to the Central Standing Committee.

By another resolution the Conference urged on the Punjab Government the necessity of so amending the constitution of the Punjab University so as to ensure Muslims getting their due share in the administration of the University.

The Conference urged upon the Government the necessity, of so regulating the expansion of girls' education in the Province as to ensure the Muslim community getting its rightful share in the money spent out of the public revenues for the purpose.

The Conference viewed with "alarm the tendency to substitute other languages for Urdu as medium of instruction and places on record its considered opinion that inasmuch as Urdu is spoken and understood throughout the Province it should not only continue to be employed as the medium of instruction in Government and board middle schools as heretofore but that it should also be used as such upto the matriculation standard. The conference therefore, requests the Government to take steps to give effect to this recommendation."

# The Convocation Addresses

## The Dacca University Convocation

The following is the text of the Convocation Address delivered by the Rt. Hon'ble *Sir Akbar Hydari*, President of H. E. H. the Nizam's Executive Council at the Convocation of the University of Dacca held on the 20th, July 1938 :—

The University of Dacca is fortunate in occupying a unique position among the homes of learning in this country. You were the first-fruits, as it were, of the Calcutta University Commission, to whose epoch-making Report the debt owed by Indian educationists is by no means liquidated. You were also privileged to begin your work under the most favourable auspices, for you had the benefit of the brilliant direction of Sir Philip Hartog, your first Vice-Chancellor.

It was not merely in the circumstances of its creation and in the personality of its first Vice-Chancellorship, that your University was favoured by fortune; it enjoys the additional advantage of connection with a great centre of Indian culture. The city of Dacca was well fitted to become the home of a University, which stands for all that is best and most enduring in the combined cultures of India and of the Western World. Throughout the neighbourhood, of which Dacca is the capital, archaeological remains, still to be discerned, give evidence of a great and varied history. The very name of your City is attributed by some to the Hindu goddess Dhakeswari, whose shrine is located here. Surviving monuments in your district preserve the names of the famous Jhassa Pal and Chandra Pal; while, if local tradition is to be trusted, the villages of Bikrampur recalls the even earlier fame of the great Vikramaditya.

To this early basis of traditional Hindu and Buddhist culture, the Muslims have made their own contribution. Such distinguished Governors as Mir Jumla, connected also with Dacca history, and Shaista Khan, nephew of the Empress Nurjahan, maintained a brilliant Court and enriched your City with magnificent public buildings. Indeed, the traditions of Shaista Khan are preserved to this day in the well-known style of architecture, to which he has given his name.

To the Hindus and the Muslims, there have succeeded the British, with their own contributions to the life and prosperity of your City, and as aids to your economy several industries have sprung up since their advent, among these the great jute industry.

Based in this manner upon the four great streams, which together contribute so much of colour and movement to the broad river of our culture—the Hindu, the Buddhist, the Muslim, and the Christian—your great City is supremely fitted to be the home of a University such as yours, which takes all knowledge, whether ancient or modern, whether of the East or of the West, as its distinctive province.

Under the stress of modern conditions, we sometimes forget what is still the primal function of a University. In ancient days, in our own country as well as in the West, a university was a gathering-place of people, eager to learn and clustering round famous men who could teach them. The ancient ideal tended to be forgotten, both in the East and in some parts of the West, and a university was regarded merely as an examining body, conducting semi-inquisitorial functions. You in Dacca were the first among the modern Universities in India to strike out against such distortion. You realised that to discharge the duties which universities should fulfil, certain things were necessary. Students must live near their teachers: for this reason, Dacca became a residential university. In the next place, students must have access to their teachers; for this reason, Dacca has established the tutorial system. In the third place, learning must be both imparted and enhanced; for this reason, you founded a strong tradition of research and of original work. Finally, the university must be a focus of intellectual activity; for this reason, you devoted assiduous care and attention to the creation and maintenance of a magnificent library.

But we do not live for ourselves alone. We, Members of the Faculties, Graduates and Under-graduates of the University of Dacca, all owe certain duties to our motherland, not only as individual citizens but also as members of a great academic institution.

There is one problem, which alike in its gravity and in its national importance, claims our primary attention. I mean the problem of the differences that appear to exist between the two principal communities of India. I for one refuse to believe, that those differences are not capable of a lasting solution, such as would, on the basis of a common nationalism and of national endeavour in the service of a common patrimony, lead to mutual respect and understanding. We are perhaps too religious-minded a people to follow the more radical path of secularisation which countries like Turkey have adopted. Religion enters every detail of our daily life, but it does not follow necessarily that, in so entering, it should serve to take away from us the qualities of sympathy and toleration, which the teachings of every religion inculcate. That distinguished philosopher of our time, Mr. Bertrand Russell, has pointed out that the strongest of our collective passions are group-hatred and group-rivalry, and whatever the cause or causes which lead to such hatred and rivalry between the two Indian communities—whether political, economic or cultural—the fact that such hatred and rivalry are based upon religion makes them the least appreciable and perhaps the most tragic of all. Yet here, in this University and in Universities like it, which have all the blessings of the atmosphere which surrounds a house of learning, we can learn and show to ourselves and to others the value of toleration and sympathy, and the baneful effects of hatred and jealousy. I know that you in Dacca have done much to learn these lessons and to exemplify them. This is but natural, for you have not only fostered Muslim education; you have advanced further in that you have also provided points of understanding between Hindus and Muslims. In an age when the bitterness of rivalry has led even erstwhile protagonists of nationalism and unity—I speak of men of both communities—to profess disillusionment, and all the modern weapons of publicity and propaganda are being diverted from their true end, and are being employed for creating and expressing the unedifying passion of hatred, a spirit such as yours is widely needed, if we are to be true to our motherland and to ourselves. This country, which has given us birth, has not sprung from any one race, creed or culture, and the pages of its history are writ large with the contributions, not of any one community but of all the different communities, which it has nursed and who have given collectively of their best to make of it a beautiful land. We have received from our past a heritage of magnificence and splendour, and you have only to look at the grandeur and refinement, symbolised in the sculpture of Ellora and frescoes of Ajanta, or in the beauty and grace enshrined in the Taj Mahal, to derive lasting inspiration from the very fact of their co-existence. In our life and customs, speech and thought, we in fact accommodate the different cultures that gave birth to these monuments. Yet, is it not a tragedy that those very factors, which should inspire unity and assist the growth of a national consciousness, are to-day being used to emphasise separation? Urdu or Hindusthani, for example, which by its very origin symbolises the effort of Hindus and Muslims to understand each other through the medium of a common tongue is being to-day characterised as the language of a particular community and hair-splitting discussions are being attempted on the rival claims of different dialects? To the vocabularies of our language and of these dialects, unfamiliar words are being added from distant languages, in order to emphasise the differences rather than the similarities. Our common festivals, too, which are occasions when the joys and sorrows of one community are shared by the others, are fast becoming occasions for communal clashes, while movements are on foot even to boycott these meeting-grounds of the two communities, where their two cultures mix and fuse.

You, however, in the community life which is so admirable a feature of your University, have opportunities, shared, alas, by two few other Indian students, of appreciating the strength of the ties which bind us all together as one people. Just as a wider outlook and a national consciousness will rid us of the trammels of obstructive parochialism or sectional claims, one way in which we can all assist, in creating a wide national front by way of outlook and effort, is to dissociate ourselves from sectional or "communal" activities; let us undertake, for example, never to belong to any institution that represents such purely sectional or communal endeavour. Another way lies—if I may use the term—in "decommunalising" our histories.—Descazes had said of the needs of France during the Restoration: "Royalise the nation and nationalise royalty." Similarly, let us "decommunalise" our histories which urgently require such treatment. You will be glad to learn that the Education Department in Hyderabad has just produced the first of its history text-books for schools, based upon this principle, and is

shortly to follow it up with similar text-books designed for other stages of the education of our younger generations. A third way, perhaps a more assiduous and leisurely but none the less an effective way, lies in the study of science or mysticism, the store-rooms, respectively, of logic and precision, spirituality and the inner meaning of religion. To the scientist and the mystic the whole world or mankind is one ; differences of faith to the one have but an objective significance, while to the other they denote absence of true spiritual perception.

Yet another problem of gravity and importance is the problem of India's poverty. Incidentally, the giving of due importance to this problem and to the economic motif in several movements, which appear ostensibly to be communal will not only serve to distinguish the economic from the purely communal conflicts, but also put in their proper places the communal and economic questions, that face us. In examining these and kindred problems and their real importance, in relation to the life and well-being of our people, our Universities and their research faculties can be the clearing-houses of such examination, where experience and information can be pooled and sifted, and the adjustments necessary for our life as a nation on the path of progress can be formulated. That such adjustments are needed is apparent to any one, who looks at the different aspects of the life of India today, particularly when the task of nation-building has over a fairly wide field been entrusted now for the first time to Indian hands. Let us, therefore, start with a full realisation of the responsibilities that lie ahead and with unity among ourselves.

One of the adjustments we have to make among many others, in order that we may make our equipment in different fields accord with the life and requirements of our people, is the reconstruction of our education. On this subject about 13 years ago I made certain suggestions when I was privileged, in the same way as now, to deliver the Convocation Address of our sister University in the Punjab and from which, in view of the recent discussions, may I detain you with a few quotations ? I then urged whether instead of having three different stages—Primary, Secondary and University—into which education is at present divided and in which the object of each stage is the preparation for the next higher stage, "it is not possible to have three distinct classes of Education, each self-contained, having a well-defined goal and each specially adapted to the attainment of that goal."... Thus "the first and most important stage of education, which I would prefer to call Essential education, ought to include all subjects which are of primary importance—subjects, the knowledge of which is useful to every citizen of the State, whatever trade, calling or profession he or she may choose to follow, as tending to increased efficiency or better citizenship."... This course would, with suitable Readers, Syllabus, and School Libraries, include through the medium of the vernacular most of the present Middle School course and even something of the present High School course..... These "Schools should not be merely literary—text book reading schools—but should have a practical side—agriculture, gardening, cottage industries (if they are in the districts), arts and crafts (if they are in the city). An experiment on these lines, which we are conducting in Hyderabad, shows how much greater progress the boy, who devotes a part of his time to learning the use of his hands for some trade, can make in the same time even in the ordinary curriculum laid down for the primary and secondary stages. On the completion of the essential course thus designed, the boy would either for the practice of agriculture or some trade, for which the primary education so organised might be regarded as his technical education, or he would enter" a High School..... These Schools "should each of them aim at giving a vocational training complete and adequate as far as it goes," and would include Schools of Engineering, Medicine, Law, Government Secretariat, Commerce, and Business with a less protected and expensive course than the present, which would give the country and, especially the village side, Doctors, Engineers, Lawyers, Agriculturists and Businessmen, etc., expecting but a moderate remuneration.....

"The University would then take charge of students after they had emerged from these vocational High Schools weeding out such as proved themselves inadequate or undesirable",.....which means that it would "take charge of the direct instruction and training only of a limited number of selected students—limited by the ability of the students themselves to follow the University course, and limited also by the number required to satisfy the estimated needs of the country.....What I may call the lower activities of the University would thus be simplified and abridged, allowing it more

freedom to pursue its higher activities, by which I mean research and specialisation and also, the investigation, consideration and solution of the educational and cognate problems which from time to time arise in every civilised country, some times becoming as acute as its political problems, and which the calm impartial judgment of the learned, working in an atmosphere free from all suspicion of racial, communal, bureaucratic or political taint, can best solve."

Accompanied by a vocational bias from the earliest stages, these proposals, on which the educational system of Hyderabad is being reorganised, will eventually result in adapting our educational system to the needs of our people and thereby diminish the number of unemployed which is likely to increase, if education remains, as it largely is to-day, divorced from the realities of our economy. This does not, however, mean that any great limitations, except those of fitness and requirement, will be placed in the way of those, who wish to benefit by a study of the humanities or the liberal sciences which go so largely to the making of culture in a man. What it does prevent is the repetition of that tragic situation, by which multitudes of young men, wholly unfitted for a University career, are allowed—nay, forced—to enter the Universities in the hope of securing some quite subordinate clerical employment or other. From the walls of your University are bound to emerge those who will play in the future an active indeed a directing part in many branches of the educational structure, and the same holds true of the different Universities that to-day function in India. It is largely your task, therefore, to do planning in education, so as to bring it as far as possible in consonance with your needs.

I have spoken already on the need to "decommunalise" our histories. I am only thinking aloud of course, but I venture in that process to make a further suggestion to you for what it may be worth. Many of you must no doubt have read and been interested to read of the suggestion made by Mr. H. G. Wells regarding the necessity of a world encyclopaedia to act as a compendium, constantly kept up-to-date, of knowledge in all its branches. Whether a scheme so ambitious as this will materialise in our own time I cannot say. But I am convinced that a project of this kind, if applied on a more modest scale to our own country, would be of real and lasting utility. Co-operation between the Universities of India might well result in the creation of an Indian Encyclopaedia designed for the same purpose, though perhaps not executed on the same lines. A work such as this where knowledge of all that pertains to India can be co-ordinated and made available for the general benefit, would not only lead to better and more exact information but also, I am sure, strengthen our own feelings of oneness as a people and our responsibility to our country and to each other.

One last word now to those of my young friends, whether Graduates or Under graduates of this University, who have still their lives before them to live. Perhaps at no epoch of our history had any generation of the youth of this country before it a greater task or greater chances of fulfilling that task than the present. That chance exists wherever you look, provided there is manhood to undertake it. May you my young friends, realise the scope of work which is yours and the great future which you can make not only for yourselves but for our people as a whole.

## The Madras University Convocation

The following is the text of the address delivered by *Sir Mirza M. Ismail*, Dewan of Mysore, at the Convocation of the University of Madras held on the 5th. August 1938:—

To-day the world lies before you with its hopes and fear. But what a changed world it is from ours! When we set out from the University, peace, democratic advance, international division of labour were the watchwords. It seemed the end of one age, the beginning of another. The European concert of nations apparently had established itself on a firm basis, and any friction that might arise seemed easily soluble by the ordinary methods of diplomacy. Even the war between Russia and Japan was regarded by some as not wholly evil if, as seemed possible, it would bring to an end the bad old system of despotic rule in Russia. Democracy was blazing its trail in the most unlikely places. Turks, Persians and Chinese were setting their feet on paths which were likely to lead to some measure of democratic control. In Russia there was the newly-created Duma which appeared to mark a stage in the movement

towards popular power. The economic machine seemed destined to run smoothly, with a wonderful equilibrium between the working parts. The tropical countries were producing foodstuffs and raw materials and the Western countries industrial goods. There was a struggle for markets, but nobody questioned the principle of international division of labour.

#### INDIA IN 1905

But what of India meanwhile? Here there was not, perhaps, perfect peace. The surface of the waters was disturbed by the strenuous efforts of that dynamic personality, Lord Curzon, to improve the efficiency of the administration. But in spite of some perturbations, the people as a whole did not lose faith in the good intentions of the nation with whom Destiny had brought them into close association. So it was that Gokhale set out on his famous pilgrimage to England. Next came the fateful meeting with John Morley and then—at last—the beginnings of India's laborious journey towards self-government. That great political sage, it may be noted, had no belief in the value of parliamentary institutions in this country, thinking them unsuited to the conditions here.

Your world is not, I fear, as placid and hopeful as ours was. We

Saw the vision of the world, and all the wonder that would be;

Saw the heavens fill with commerce, argosies of magic sails;

We looked forward to a time when

The war-drum throbbed no longer, and the battle-flags were furled

In the Parliament of man, the Federation of the world.

But those dreams have disappeared in the lurid light of the new day, and we hear

The Heavens filled with shouting, and there rained a ghastly dew

From the nations' airy navies grappling in the central blue.

This contrast between our hopes of those years and the tragic facts of to-day is not merely a poet's fancy impressed into my service. M. Andre Maurois, the well-known French writer, has very lately described the poignant contrast between the bright hopes of the pre-war decade of this century, and the sombre realities of to-day under the caption "The tragic decline of the humane ideal." He says, "The humane ideal, whose noble aims were generally respected before the World War, has declined during the last ten years to a condition of primitive violence and cruelty. We are again becoming accustomed to the ferocity of which several centuries of civilization had seemed to cure the human race; and this new barbarity is far more dangerous than that of the savages because it is armed by science.....At nearly every point the forces of civilization seem to be sounding a retreat.....The peace of Europe protected a great civilization. And now in 1938 what is left of this wonderful security? A good part of the world is already at war. Menacing shadows loom threateningly over the rest of the planet.....Economic isolation, once dreamed, has become an ideal. Nations blockade themselves.....It seems as if, in spite of the immense progress made by science, and perhaps even as a result of this progress, we are entering into a new period of barbarism." In Lamartine's words, "Barbarism recommences by the excess of civilisation."

#### THE WORLD TO-DAY

You live indeed in a changed and changing world, a hurrying and disordered world. Now we know, to our cost, that the era of peace in which we pursued our studies came to an end in 1914. The Great War was to make the world safe for democracy and by war to end war. Is our world to-day safe or democratic? Has the War ended war or is it not destined to be the precursor of another—a far more terrible war? We live in a world which is being taught or forced to deny the brotherhood of man. Rigid doctrines enforced by iron-handed men have taken hold of a large part of mankind and are contending for mastery over the rest. Treaties are violated with impunity; warfare goes on. The bold plan for international co-operation has failed. The world will be destroyed either by the war that is apprehended or by the burden of preparation for the war that does not come! And these war-burdens fall on the shoulders of people already half-strangled by limitations imposed on mutual trade. As the "New York Post" has summed up the situation, "one of the greatest hidden war dangers in Europe is that the armament burden of 'peace' will become so intolerable that war will no longer appear catastrophic in comparison."

#### CONDITIONS IN INDIA

But to turn to the happier side of the picture. If world conditions have worsened things seem to have improved in India. Our hopes seem now to be much nearer

realization. The modest instalment of reform under the Morely-Minto scheme and the appointment of Lord Sinha and other Indians to positions of high responsibility caused them an amount of excitement which to-day almost makes one smile. Now we have self-government in the province, and the project of a United India with large powers of self-determination. It is engaging the thoughts of Britain and India. But changes in government take second place to the really remarkable change in the spirit and the outlook of the people. Increased self-confidence and with it increased self-respect, disappearance of any cult of violence and the growing power of the gospel of non-violence—these are signs of the times. Now we find Indian statesmen respected figures not only in the councils of their own country and of the British Commonwealth, but also in the world at large.

What then are the nett results? We live in an age which is full of terrifying possibilities, but here in India our position is far happier and prouder than seemed possible in the early years of this century.

#### COMMUNALISM

There is, however, one cloud on the horizon. I refer to the spectre of communalism. In communities which are large and whose composition has been influenced by many historical factors, particularly in communities which have been subject to invasion, there are bound to be small groups which retain their own individual characteristics. The relationship between the larger group and the smaller one is bound to be difficult. The larger unit cannot afford to ignore the smaller because that would destroy all real unity. Nor can the larger unit seek to mould the smaller into a common pattern of culture and deny it political rights; for that would merely lead to disintegration. To deny to the minorities their right to a full share in the commonwealth, and full scope to follow their own religious faith and develop their own culture would be distinctly indefensible. What is most disquieting in the present situation is the sense of separateness of the minorities and the impatient attitude of the large groups towards the smaller.

The problem of minorities has had to be faced in other parts of the world and has not proved altogether incapable of solution. In Central Europe, Teuton and Slav have fought with each other in the past and now live side by side, although, it must be admitted, not always in amity. To-day in Czechoslovakia we see what tremendous issues may hang on this difficult matter of minority rights. We in India should take a warning from the history of post-war States such as Czechoslovakia which, like India, is a state of nationalities, not a national state. In some respects our own position here is better. Only in recent years has the Hindu-Muslim problem, perhaps the most difficult of minority problems, been forced into unpleasant prominence. For years the two communities have lived together in friendship and peace. Why should they not do so now?

What we perhaps most need both as individuals and as a people, is tolerance, tolerance for the views and acts of others. The roots of communalism lie deep in human nature. Therefore it is that we in India should be specially careful. If only we could discipline ourselves to adopt, not in words only but also in deeds, a sympathetic and friendly attitude, especially towards the religious beliefs and practices of others, how happy our country would be and how happy we should be ourselves! Believe me, it needs no great effort to do that. It is only a question of making up one's mind. I appeal to you to try to do it. You will be giving, I assure you, great pleasure to yourselves, and what is more, to others, and the greatest of all pleasure is to give pleasure to others.

#### THE PROBLEM OF UNEMPLOYMENT

The accentuation of communal bitterness and the widening of communal cleavage are not, however, the only disquieting features in the political and social landscape of our country. The economic pattern of the country seems to be unhappily constructed as far as concerns the prospects of the young men who go out of the portals of the University. Bagehot wrote:

"People contrive to find work to employ them; body and soul are kept together. And this is what mankind has to show for its six thousand years of toil and trouble!"

But what would Bagehot have said of a social fabric that admits of, as it does in Europe and America, millions of people to remain unemployed for months and even years? If we compare conditions in India when I was leaving the University with those obtaining to-day, it would appear that there was then greater correlation

between the number of graduates and the number of posts and openings available in the professions and Government service. We could look forward with confidence to ready employment of a kind suited to our equipment in the economic framework of the country. The graduate of to-day, I am sorry to say, cannot have the same confident outlook.

Looking back over three decades, we see that a tremendous advance has been made since the first Indian Industrial Conference met in 1905, under the presidency of Mr. R. C. Dutt, when one of the speakers referred to the distance and cost of coal-fuel and the consequent limitations on Indian industrial development. Since then the iron and steel industry has become a great factor in the economic life of the country and the cotton mill industry has definitely succeeded in reducing imports of cloth to a position of secondary importance, while hydro-electric power has developed in a way which no one could have foretold. One might have thought that these developments and the advance in commerce and banking would have increased the field of employment for university graduates, either directly or indirectly, by increasing the area of employment in the professions and in Government service. There has indeed been a great increase in the number of government employees and in the number of persons engaged in the professions, but the spectre of middle-class unemployment, by which we moan the unemployment of the educated, haunts the economic scene.

The one thing about which every one seems to be agreed is that the educational system of the country is partly responsible for the evil, and in particular, the universities are blamed as being factories for the mass production of graduates and for dumping them on a glutted market. The demand for increased expenditure on primary education is generally accompanied by a depreciation of State grants to universities.

It is not for me to deny that the evil is a real one, or that it needs immediate attention in the interest as well as of the social economy of the country. But it is necessary to have a sense of perspective both of time and space. For one thing, the possibility that the number of graduates turned out by the universities might overtake the number of those that can be absorbed in employment has always been in the air, and it is instructive to find that, so early as the eighties of the last century, Convocation speakers already detected a superfluity of graduates in relation to the absorbing capacity of the community. This only means that from time to time there is a lag between supply and demand. In our preoccupation with our own troubles we should not forget that the problem of unemployment is a national one and indeed, an international one.

There is sometimes a lag between the operation of the educational system of a country and that of its economic machinery, so that the output of the educational system both in respect of numbers and their distribution bears no close relationship to the needs of the occupational pattern of the country. The great majority of people are forced to fit themselves to the occupational pattern of the community without any special training for any occupation in particular although in the past the system of apprenticeship was a useful hyphen between the recruits and the occupations. That system has broken down in the western countries but in most occupations the demand for special training is becoming almost co-extensive with the entire body of employees. This need of the economic organization of the country is met by a progressive increase of vocational education, and specially since the War there has been a tremendous advance in this direction in the western countries.

In our country the untrained recruit turns either to unskilled occupations or to agriculture. The educational system of the country was built from the top downwards to supply the government of the country with an adequate and suitable number of persons competent to serve in the lower ranks of government service. The system of education was thus vocational in a narrow sense, but as the number of schools, primary and secondary, increased and as the number of successful entrants from these lower grades of schools to the universities also increased, it followed that the number of graduates has also increased. But there has not been a corresponding increase either in the number of posts in government service or openings in the professions. Hence these tears. Unwise suggestions have been made to restrict admission to the universities and even to high schools. The country is by no means over-supplied with educated persons and education in any stage has not reached saturation point, if indeed such a point can ever be reached in a community. But there is an urgent need of a planned distribution of numbers in

successive stages between different courses, some of which will lead to a degree in arts and science, and the rest directly to one specific occupation or another.

Some kind of proportion in numbers must be established between the present high school and university courses and new courses of a realistic and vocational character which are urgently needed if the economic life of the country is to become more efficient and productive. There is a special need for a reorganisation of the high school courses in order to secure a better type of entrant to the universities. For those who are not proceeding to the universities there should be vocational courses either of high school stage afterwards. Not for every boy who enters the school gates should the a degree be regarded as the final goal, nor should a degree be a necessary qualification for employment of all kinds. Take the case of the English Polytechnics. They train between ten and twenty times as many students as the universities. Moreover, post-secondary diploma courses need not fall below the standard of university courses and they may fully attain to the requirements of specific occupations. Whether these diploma courses should be under the control of the university complex in our country makes it desirable that for a time the universities should at any rate remain in close contact with the diploma courses.

Elsewhere we know that such diploma courses of vocational character are controlled by national bodies in intimate relationship with the respective occupations. In our country post-secondary education either has meant education in a university of such courses, as engineering, which have been generally associated with institutions of university standard. If the rush to the present university courses is to be checked, without, at the same time, creating a sense of discontent among those who are prevented from entering upon such courses it will be necessary for a time for the universities to be in intimate contact with the new courses. As the educational field becomes more diversified, it may be possible for another body to take over and administer these courses. By that time let us hope the university complex will also have disappeared as the result of familiarity with, and benefit from, the vocational courses.

#### THE UNIVERSITIES AND UNEMPLOYMENT PROBLEM

The problem of unemployment is one which Indian universities must help the country in solving. Otherwise, they will not have discharged their responsibilities to the social order. Our universities cannot afford to wrap themselves in their academic robes and turn away in cold disdain from the problem, and continue to dump their products on an exasperated community. The era of splendid isolation and unchallenged privilege is gone for ever and universities, like any other social institution, must pass the test of social serviceability. No social institution can justify its demand for support from the community, particularly financial support from public funds, unless it both performs, and makes it clear that it does perform, a service of social worth. Extension of the frontiers of knowledge and colonisation of the area thus won from time to time will certainly remain among the great tasks of the universities, but the training of the individual for life in society is also to be counted as one of their indispensable tasks. Such training of the individual is not of course merely vocational nor mainly vocational, though I do not see any reason why preparation for earning a livelihood should be a cause for depreciation or apology, since we all have to earn our living.

My stress on the part that the universities should play in solving the problem of unemployment does not mean that the entire responsibility is theirs. Universities in particular, and the educational system in general, can only be expected to adjust their output to the occupational needs of the country. The range of occupations in a country and the numbers that each occupation is capable of absorbing depend most of all on the economic policy of the state and on the vigour with which a right policy is pursued. In a country like ours, which is as one-sided in its occupational pattern as in its educational system, there is a great need for the government to plan the development of trade and industry and to find fresh avenues of employment for the rising generation.

#### RESPONSIBILITY OF UNIVERSITIES

Having said so much about the vocational objective of education, let me turn to its other objectives, citizenship and culture, specially in the case of university education. More than ever the universities in India bear on their shoulders a great responsibility. That responsibility is no less than the training and equipment of the youth of the country in the service of their Motherland and their fellow-men.

True to scholarship and national in spirit, our universities, whether or not they are generously or amply or even sufficiently equipped, should carry on the sacred work of fashioning the best type of Indian, attracting the young to service, instilling into their minds the idea of civic duty, preserving the great popular heart from envy and hatred, and establishing a fortress where men may repair and make a stand for the eternal values. Our universities must be the refuge of Truth and the home of Freedom, teaching our young men to think for themselves and to make a good life, not simply a good living. I do not mean mere goodness, for untrained goodness does not count for everything in this world, whatever may be its facilities in the next.

#### DUTY OF YOUNG GRADUATES

It is chiefly to you young men and young women that pass out of the portals of universities that the country will look for guidance in the difficult tasks that lie ahead. You are the people that will largely shape her destinies in the years to come. Never was there so much need for youth to cultivate habits of high and serious thinking. Your fundamental problem will be to find continually more points of common interest, and to think in larger units than your ancestors did, to think across dividing lines of class and caste to the common denominator of mutual interests, aiming at a higher socialisation of the races in class relationships and national relationships. Work for a united peaceful India with no other thought in your minds than that of service to the Motherland. Provincialism, communalism, and lingualism constitute serious problems in our country to-day. You will be able to approach these problems with more flexible minds than wo of the older generation. The fruits of truly co-operative industry and the widespread feeling of good-will and common interests among all concerned in the activities of life will conduce perhaps more than anything else within our grasp towards the true and lasting progress of our country.

In spite of the multiplicity of inventions and comforts we are no happier than our ancestors, probably less happy than they were. Happiness depends to a large extent upon our outlook on life. We are the victims of all sorts of influences and propaganda. "People believe easily," says La Fontaine, "what they fear or what they desire." We need education to-day as never before. It is our only hope of preserving the ancient ideals of truth, tolerance and freedom in a world which seems bent on destroying itself. It is our only hope of resolving bewilderment, of protecting our people from sinister influences and of recapturing happiness.

As you know, India is at present engaged in a constitutional experiment of a vast scale. Whether that experiment will be a success and lead to a further and fuller realisation of her political aspirations will depend, and depend entirely, upon her ability to produce a sufficient number of leaders of the right type—men of character and ability, character even more than ability, men of vision. For, in the last analysis,

What constitutes a State? Not high raised 'buttment,

Levelled mound, thick walls, and moated gate.

Not cities proud, with spires and turrets crowned,

But men—high minded men, men who their duties know,

And knowing, dare maintain. These constitute a State.

And India has been rich in this class of men.

#### UNIVERSITIES AND CITY LIFE

Time was when centres of learning both in the East and the West were located "far from the madding crowd," though the Universities of Benares and Taxila in our own country and the Universities of Paris and Bologna in Europe are unmistakable evidence that learning and culture did not fail to prosper even when their devotees rubbed shoulders with men engaged in everyday tasks. However that may be, the days of isolation are gone, and learning must come down from the mountain tops to the valleys where men and women live, and be in daily contact with them. Universities have been established in recent years in the West in large industrial centres such as Manchester and Liverpool, while even Oxford and Cambridge, which to a great many people are the modern representatives of the old hermitage schools of India, are no longer isolated from the main currents of life of the nation. Our universities are all located in the leading towns of India, but I fear that they live in seclusion and are not influenced by the life that sweeps by them, nor have they established intimate contacts with the people from whom they draw their sustenance and for whom, in the last resort, their work is intended.

If the noble ideal of democracy that 'the whole conduct and development of a people's culture is to be universally shared' is to be realized, it will always fall to the universities to serve as benignant lamps of culture at which the common people may light their modest rush-lights. This duty to society is discharged in part through the young men and young women who pass through the university, who, in various posts of duty and service, act as centres of culture and enlightenment.

#### EXTENSION AND PUBLICATION WORK OF UNIVERSITIES

A more direct and extensive way in which universities can help to realize this great ideal of democracy is by means of extension and publication work. It should be the mission of Indian universities to take to the very doors of the people knowledge and culture in an easily apprehended and assimilable form, and this can be done both by speech and by print. Extension work has been a powerful method of spreading university culture and establishing contacts between the university and the working classes in Great Britain, and although several Indian universities have extension departments, something more continuous and thoroughly organized is needed so that regular courses of lectures can be given in a number of centres in the area covered by a university. This extension work must be supplemented by the publication of small monographs in simple language which will bring modern knowledge within the reach of the common man. It is well known that some of the popular text books in England of a university standard are really a series of extension lectures revised and reprinted. For our purposes, however, the popular standards by the B. B. C. will suffice. The B. B. C. have increased the effect of the spoken word by translating it into the printed word, and we might profitably follow their example in regard to our popular lectures.

#### THE IMPORTANCE OF VERNACULARS

Both the extension work and the publications should be in the languages of the areas served by the universities. The work of the Universities is carried on in English and for a number of years to come at any rate, will continue to be in that language but it is equally certain that for a number of years a knowledge of English will remain the monopoly of only a small section of even the literate class. Therefore it is all the more necessary that the universities should make a practice of arranging for lectures in the languages of the country and publishing them so that the literature of knowledge, in which the Indian languages are lamentably deficient may receive continuous accession. In this way our languages will develop a plastic power of expression which would have surprised our forefathers.

#### UNIVERSITY SETTLEMENTS

There is another way in which our universities can bring themselves into intimate touch with the masses and incidentally give a sense of reality to the teaching of important branches of study such as economics, sociology, politics and statistics. In the poorer districts of London a number of university settlements have been established. The object of these settlements is to ameliorate to some degree the life of the poor who live in the neighbourhood. These settlements are lighthouses which radiate their beams of friendliness and comfort into the surrounding darkness. A number of the colleges in Oxford and Cambridge have their own settlements in the East End of London, and the members of a college not only support the college settlement with subscriptions, but are also encouraged to spend some time in it and take an active part in the work. There is surely room for similar work in our own country but here such work needs to be done not only in urban, but also in rural areas. I suggest that our universities should give their attention to this matter and institute centres of work in industrial areas as well as in rural parts. Settlement work in rural areas can be made an effective part of rural construction, which in its turn is part of national reconstruction.

#### ADVICE TO THE GRADUATES

Young men and women, you are now passing from the calm waters of the University to the open sea of life. To me it is a most moving sight. I remember well our own hopes and anxieties at this critical juncture. The hopes in which we indulged and the dreams we dreamt are yours to-day.

Remember, in the first place, that although you may not scale the heights of success, there is a heroism in doing the ordinary things with extraordinary zeal.

As Canon Streeter has wisely said, "The quality of a man's life or character must be judged not by the number of different things he does but by the nature of the particular things he elects to do and by the way in which he does them." It is as well to remember that the work of the world is carried on by the great majority of people whose lot is cast in humble places. And if the work they do were not done with thoroughness and zeal the machine of life would break and work inefficiently.

One thing that I should like especially to emphasize is that you should cultivate the art of happiness. It is part of your duty to yourselves as well as to your neighbour to make your life as happy as you can. To that end you should develop that most useful of all human assets, namely, personality. Personality and happiness are interwoven. You cannot hope for the one without the other. A pleasing personality lies latent in everybody. But it takes time and effort to develop it. Develop those qualities which attract and please and eradicate those attitudes and manners which repel. It is a life-time job, but it is thrilling constructive work. In your contact with others use the gracious way. Look at what is pleasant and agreeable. You will find life unpleasant if much of your attention is given to the disagreeable. Let not the crooked things that cannot be made straight cumber you. The healthy mind turns from the futile to the effective. Cultivate the habit of unclouded thinking. It is vital to grasp facts and not be constantly rushed through the distortion of emotions. If you live your life in a perpetual fog of prejudice and emotion, through which nothing can be seen with realism, your happy moments will be rare and fleeting.

Do not forget, I entreat you, that patience is touchstone of all the virtues. A man who has no patience is inevitably a man full of regrets. Time is an important factor in human affairs. The value of time is that if men would only be patient, if they would only set their minds to think out questions and not be betrayed by sudden emotion into foolish or violent action, they would always be certain in the long run to come out right. Remember that the price of success is hard work, patience, and a few sacrifices.

Lastly, remember that of all the virtues Charity has been called the greatest. The great evil that are hampering mankind in its upward march at the present time are a temporary retreat from Reason and lack of Charity. As university graduates it should be your mission to see that the lamp of Reason is not dimmed. It has been said that tenderness is the chief gift of all really great men, but there is no reason why tenderness should not be the portion of all men. In your intercourse with people, whether it be in daily routine or on occasions when you are called upon to deal with matters of greater moment, be unfaltering in your allegiance to Reason, Truth and Charity.

Kindly words, sympathising attentions, watchfulness against wounding the sensitiveness of others—these cost very little but they are priceless in their value.

And so I have these words with you.

I wish the University of Madras and all that it represents prosperity and success and each of you a happy future.

## The Bombay University Convocation

The following is the address delivered by Mr. V. N. Chandavarkar, Vice-Chancellor, at the Annual Convocation of the University of Bombay held on the 16th. August 1938 :—

When I had the honour of addressing the Convocation of 1934, I spoke on the growth and development of this University, on some of its present activities, and on the lines of its progress in the near future. Though hardly four years have passed since then, much water has flowed down the Ganges. The introduction of provincial autonomy under the Government of India Act of 1935 has resulted in many an important change, and brought about an entire change in the outlook on the various problems with which the country is faced. You will admit, Sir, that the most important problem which the country has been facing for some years past, and which has now been brought to the forefront, is the problem of education. All over the country speeches are being made and schemes are being evolved, some of which involve a radical reconstruction of the scheme of education in this country. In short, reconstruction, which involves the destruction of the existing scheme of education,

rather than reform, has become the watchword of many politicians and reformers of the day. Most of the new Provincial Governments are busy preparing schemes to overhaul the existing system of primary and secondary education, and the Government of one Province in which there are five Universities, has appointed a Committee to go into the question of University education.

I shall not in this address deal with the question of primary education or the Wardha scheme, which, I now find, has been changed beyond recognition by the Primary Education Committee of the Central Education Board presided over by our Prime Minister, nor shall I, in this address, deal with the question of secondary education, as we are not yet aware of the considered views of the Government of our Province. But I would like to make a reference to the report of the Committee recently appointed by the Government of Bombay to advise them "on the question of vocational training for boys and girls in primary and secondary schools in the Province of Bombay". This Committee, on which there was no University representative, and which had nothing to do with the question of higher education, or with what should be the test of entrance to the University, have gone out of their way to recommend the abolition of the Matriculation Examination, and to advise that the entrance to the University should be by tests held by affiliated colleges. These recommendations have led to a prevailing impression among the public that the Government have decided to abolish the Matriculation Examination, which the University has rightly claimed as entirely its own affair, being purely and simply an entrance examination to the University courses of study. I would like here to sound a note of warning. It is not the first time that the question of abolishing the Matriculation Examination has been raised, nor is it the first time that the University has been advised to modernise the Matriculation Examination and to provide alternative courses of study. Such efforts have been made in the past and have failed. As a result of six years' experience gained in this University, I would earnestly request Government to leave the question of the Matriculation Examination to be dealt with by the University.

What has been worrying me, however, and, I am sure, has been worrying people interested in the cause of education in this country is the attitude towards higher education of certain influential persons who control the policies of the Provincial Governments of the day, and this attitude has raised an apprehension in our minds that higher education is in danger of being starved. The problem of higher education is our main concern, and I think it necessary that I should say something about it here, particularly, in view of certain recent pronouncements regarding it. There is a great danger in accepting the principle that higher education should be self-supporting and that the liability of the State should be restricted to educating persons whose services are required by the State. Apart from the narrow utilitarianism on which this principle rests, to advocate it is to shut one's eyes to the teachings of political philosophy. The interest of the State does not lie solely in the production of clerks and officers needed for carrying on the administration of the country. Government is not an end in itself. It exists for the good of the country. The needs of the country are greater and far more important than the needs of the administration. While the country requires the services of persons who can run the administration, even more does it need the services of publicists, educationists, industrialists, scientists, leaders of thought, members of the learned professions and, above all, good citizens. Higher education is as essential for the life of a nation as primary or secondary education. Higher education has a cultural as well as an economic value. It may be argued that the holding of examination and award of degrees and diplomas being the functions of Universities, the latter can very well be expected to support themselves by charging adequate fees for admissions to their examinations and for the award of degrees and diplomas and that only those who can afford to pay such fees should take advantage of University education. What ever may have been the conception of the main function of Universities in days gone by, it is becoming increasingly clear that the holding of examinations and the conferring of degrees and diplomas are not the only purposes for which Universities exist. Universities have, indeed, a much higher function to fulfill in the life of the nation. They play a very important part in that life, not only by liberalizing the spirit and ennobling the soul of the nation but also by helping the nation to increase its material wealth by promoting scientific and industrial research. Even in a country like England, it is only since the Great War that the people have begun to realise the necessity of linking up the work of University with the industrial needs of the nation. Julian Huxley in his thoughtful book on "Scientific Research and Social Needs" points out that "in addition to the broad scientific back-

ground of research which the Universities provide, out of which new applications grow, the newer Universities in industrial towns like Sheffield, or Leeds or Manchester contain departments in which very practical research is going on in subjects like civil, chemical and electrical engineering, metallurgy, mining, oil technology, leather research, textiles, dyeing and fuel research..... Even the older Universities of Oxford, Cambridge and London are showing their adaptability to the changing needs of society by organising semi-practical departments". What I wish to emphasise in this connection is that in all those cases, while some of the money come from special endowments, old and new, a great deal comes out of the government grants to Universities. The remarks of Huxley about the Universities of England apply with, perhaps, greater force to Universities in this country.

Another important problem on which I wish to say a few words is the problem of unemployment, which has been agitating the public mind not only in this country but in all countries of the civilized world. It is often forgotten that this problem is primarily an economic problem, and that it is, therefore, the duty of the State to tackle it. The State is one of the largest employers, and is in a position to influence other large employers like municipalities, local boards, commercial corporations and industrial concerns, which depend upon the State for patronage and support. The Universities can, no doubt, make their own contribution to the solution of the problem by providing the right type of education and helping the employer to recruit the right kind of person. To expect the Universities to do more is to ignore facts. The impression that Universities by means of employment bureaux can create employment or appointments is far from correct. To my mind the problem of unemployment is aggravated by the methods in use for recruiting persons for appointments under Government, under semi-public bodies or in commercial firms. What happens generally is that such appointments are based, not on the merits or the suitability of the applicant for the post to which he is appointed, but on personal, and sometimes on communal grounds. The result is lack of efficiency, a feeling of discontent and bitterness and an increase in the number of highly qualified persons without employment. Those who are less qualified, or have no qualifications, thus keep out the qualified and the deserving. It is only Government that can remedy this state of affairs by putting recruitment to the public services on a proper basis. Except for the technical and the specialised appointments, it is desirable that all Government and semi-Government services, lower as well as higher, should be recruited by means of competitive tests. So far as Government are concerned, the problem has been solved, to a certain extent, by the appointment of Public Service Commissions, both by the Central Government and by the Provincial Governments. As regards appointments in Commercial houses, it is essential that in the various provinces they should be made to recruit their staffs through the agency of Appointments Boards constituted under the auspices of the Universities, and on which the various commercial institutions of the provinces are duly represented. Such Boards can, however, prove effective only if Government recognize them and bring influence to bear upon the commercial houses to utilize the services of these Boards in recruiting their staffs. Speaking for myself, I can say that this University would be the first to co-operate with Government in the establishment of an Appointments Board, if it is assured that the Board would be made effective in the manner I have suggested. In this connection, I am glad to mention that three or four European commercial houses have already availed themselves of the assistance of our University in recruiting the members of their higher staffs from among the graduates of this University. I am thankful to them for what they have done, and I hope that more commercial firms, Indian as well as European, will avail themselves of the University's services for recruiting their staffs.

While on the question of unemployment, I think it would not be out of place for me to mention that this University is fully alive to its responsibilities to its *alumni*. Our University was the first among the Indian Universities to make a strong representation to the Secretary of State for India, complaining of the differential treatment accorded to Indian students competing for Indian Civil Service Examination in England by insisting on a minimum residence of two years and the possession of an Honours Degree or its equivalent at an approved University in the British Isles as condition precedent for entering the competition. Apart from the discrimination that was thus made by the revised rules of admission to the examination for the Indian Civil Service in England between European and Indian candidates, the restrictions that these revised rules for recruitment have placed upon the rights

of Indian students to appear for the Civil Service Examination in England, and the preference given to the Honours Degree of British Universities are most repugnant to the essential principle of open competitive examination for administrative appointments, and, in fact, lay down a principle of discrimination against Indians themselves in respect of appointments to services in their own country.

As pointed out in the representation made by this University, it is more than a hundred years since the people of India commenced voicing their grievances in respect of appointments to the public services. The Act of 1833 made Indians eligible to all offices under the Company, and the Act of 1858 provided that the Secretary of State in Council should, with all convenient speed, make regulations for admitting all persons, being natural-born subjects of Her Majesty, who may be desirous of becoming candidates for appointment to the Civil Service of India to be examined as candidates. The Queen's proclamation of 1858 contained as assurance that all subjects of the Crown, irrespective of class or creed would be admitted to office under the Government freely and impartially. As long ago as 1860, a Committee appointed by the Secretary of State recommended that two examinations should be held simultaneously, one in England and one in India, and those who competed in both countries should be classified in one list according to merit. It was not until the year 1893 that official recognition was given to this principle of simultaneous examinations by the House of Commons passing a resolution. The resolution, however, remained a dead letter, and partial effect was given to it only about 11 years ago, and now, instead of making the competition as open as possible, both in England and in India, we have these new rules shutting the door in England to the best talent in this country by artificial barriers of residence and restricted University qualifications.

Although it is now a year since this University made its representation to the Secretary of State for India, it is only very recently that we have heard that he has declined to remove the handicap on Indian students complained of in the representation. This University, however, ought to be thankful to the other Universities in the country and to the Inter-University Board for supporting its representation.

My advice to those of you who are still within the portals of the University is to utilise to the full every opportunity you have of cultivating those virtues that thrive best in a corporate life, which brings together a large number of individuals, differing from one another in upbringing, habits, temperament and ideas, but working together with one single aim, namely, to equip themselves for a life of usefulness and service to the country and to the world. To those others who have already crossed the threshold of the University and are about to enter the arena of the world, my advice is: "Carry with you: wherever you go, and whatever you do, the high and noble ideals which you have imbibed from the lessons of history and biography, the teachings of the poets and philosophers and of your own professors." My final word of advice to all of you is: "Never cease to be students." Small as that phrase is, its implications are manifold. A student is essentially an idealist. The idealism of the student is badly needed in the world to-day, where we find individuals, communities and nations quarrelling over petty differences, forgetting the ideals of love, unselfishness and truth preached by prophets and religious teachers from the earliest times. The word "student" conjures up the picture of a humble and ardent seeker after truth. The greater the humility, the greater will be the knowledge that comes his way. Again, the word "student" connotes hope, ambition, sympathy, a forgiving nature, generosity and kindness to one's fellows, qualities which are extolled in public life, the more because they are so rarely to be found. A student is loyal to his friends, to his college, to his University. He always strives to be better, to learn better and to do better. If all of us were to preserve and practise these virtues, which come naturally to the student, largely because of the purity of the atmosphere and traditions which surround the temple of learning, we should transform the world into a much better place than we find it to-day. I earnestly call upon you, my young friends, to continue to be students to the end of your lives by retaining the idealism, the humility, the generosity, the love of truth, the honesty of purpose and the zeal which characterise the student in his College life.

### The Mysore University Convocation

The following is the text of the address delivered by *Rev. C. F. Andrews* at the Annual Convocation of the University of Mysore held on the 6th. October, 1938 :—

We live in a distracted world which is passing through a hurricane of evil. The cyclone has swept from one end of the earth to the other. In the Far East, Japan has invaded China, and an incredibly cruel war has been carried on with ruthless ferocity for over a year. In the west of Europe, Spain has been torn asunder by a struggle that is no less deadly. Day after day we look at the news in the papers concerning Central Europe in order to see whether war has broken out or not. Even as I write these words, on September 15th, the telegrams are full of dread forebodings. It will not do for us in India to say with Hamlet,

The world is out of joint. O cursed spite!

That ever I was born to set it right!

For we *must* seek the deeper causes of the evil within ourselves. Otherwise we, too, in our turn, may be brought within the hurricane zone. While, therefore, I shall only deal to-day with those urgent and pressing questions which touch us here in India, I shall keep in mind all the while this vast and sinister background of world disorder which we cannot altogether escape.

Many of those who have just taken their degrees will have their share very soon in shaping the destiny of Mysore State, to which they will devote their service. This University should be in a position to provide one of the chief sources of their deep and solid thinking. I would ask them, together with those present, to do some of this hard thinking along with me to-day; for the subject I have chosen—how to bridge over the gulf between the rich and the poor; between the University and the villages,—is by far the most difficult that we can approach. Only that State, which can set to work sincerely to solve this problem, is likely to weather the storm. We have lately witnessed, in Europe, how ancient dynasties, that did nothing to help the poor, have crashed. Here in India we have begun to realize how near the danger may be to ourselves, and how short is the time for putting our own houses in order. If I keep strictly, as I am bound to do, to the academic aspect of my subject, the importance of the political issue will not be forgotten. Pure science is the basis of all applied science. So what I try to put forward in principle this morning lies at the back of that ferment in Indian politics which is leavening our national life.

First of all, let us frankly acknowledge, that in spite of much that has been harmful, great benefits have come to India to its long association with the West. The hard, stern, exact, scientific thinking of modern Europe has brought this country, with a shock, out of its ancient fairy land of dreams. To take a concrete example, which every historian would accept, the impenetrable wall of untouchability was breached at last in the nineteenth century by the terrific impact of Western scientific and democratic thought. The wrong to womanhood, caused by child marriage, has also been brought home to the conscience of India in a similar manner. The present successful movement for social reform goes back to the liberal ideas of Gladstone and Bright, of Mazzini and Abraham Lincoln, as well as to the insight of the great Indian reform leaders, beginning with Raja Ram Mohan Roy and ending with Mahatma Gandhi.

The West has reaped its own benefits in return. Perhaps the greatest has been the recovery of the immensely potent conception of one Spirit pervading Man and Nature. We can trace the effect of this quite early. The vast intellect of Goethe first hailed it from afar. Wordsworth, in his own ruggedly independent way, worked out its inner meaning. Shelley felt it also in his eager spirit. The more direct Indian contact is seen in Emerson and Walt Whitman. The full effect was shown in 1912, by the remarkable reception given to Rabindranath Tagore's 'Gitanjali.' This small book was translated into all the languages of the West, and had, perhaps, its greatest influence in America.

It is true that the World War swept this aside for the time being, and a crude, intransigent theology has succeeded, especially in Central Europe. But already the pendulum has swung back, and astronomers like Eddington and Jeans are revealing to us a renewed desire to approach this avenue of the Spirit along which our mysterious universe may be explored.

A further influence, which we all recognise in our own day, has been that of Mahatma Gandhi, who has shown us in the West, in part at least, a way out of modern chaos by putting into practice the vital principle of pure non-violence in face of a world filled with violence and untruth. This very year, I was invited to go over to Europe, and also to America, for the sole purpose of setting before the most earnest thinkers in both continents the great principles in action for which Mahatma Gandhi stands.

So far then we may assert, historically, that benefits have accrued on both sides from this closer contact between East and West.

But in India, owing to political domination, there have also been injurious features which need to be eliminated. Let me explain by typical examples some of these evils.

If I am asked impatiently whether the English language should be abandoned altogether; I should at once answer, 'No.' For, as I have shown, it has had its own valuable uses. It has been the solvent, through its literature, of some of India's worst evils. It has also welded together, as nothing else could have done at the time, the diverse parts of India. Still further, it has brought India into touch with the vast outer world of thought where English is commonly spoken.

But now, this earlier phase is nearly over. English will still be taught, but it must no longer be the *medium of instruction*. That should, in future, always be the mother-tongue. Indian teachers must use the mother-tongue when they teach geography, history and mathematics; they must no longer employ the medium of English. I have used the imperative word 'must,' because I have no doubt whatever that this step has as once to be taken.

It may be asked why I have spent so much time on this language problem. I have done so, because the critical moment has arrived to urge that in Mysore University itself this whole subject of the 'medium of instruction' should be thought out in a scientific manner, and steps taken to put things right. Mysore State is admirably adapted for this, because it is almost completely a one language area.

I would ask one very simple and obvious question: Is there any other country in the world except India where instruction is given from the school stage right up to the University through the medium of a foreign language? Personally, I cannot recall a single instance, nor can I remember any area, where the gulf has become so wide between the educated class and the village people.

But the harm done by this foreign medium has gone far beyond the sphere of language and education. It has invaded other sides of life as well. Perhaps the most injurious has been the continual rise in the cost of living, without any compensating benefit to the common people. Artificial needs have been created by the rush of foreign articles into the market and these have ousted the homely things made by our own people. In this manner the old industries of the villages, one by one, have been destroyed.

This process of deterioration has to be gradually reversed. The nutrition which comes from Indian agriculture and husbandry must be conserved. Whatever articles of dress or furniture are needed must as far as possible be produced in India itself. Only in this way can the life blood of the Indian villages flow freely again and some prosperity return to those who are now living almost below the level of subsistence.

We come now to the last evil that needs to be entirely swept away. Hitherto, as we have seen, an inferior imitation of the West has been the uninspiring aim set before us. This has left behind it what Mahatma Gandhi has rightly called a 'slave mentality'. With mighty blows, he has broken the chain which bound us fast with this strange mental subjection. The general effect of his appeal throughout the country has already been amazing; and yet in the Universities themselves a cautious conservatism still holds sway which is desperately hard to break. Here, in the Universities, has been the stronghold of this Western obsession; and therefore I welcome this morning an opportunity of striking another blow for freedom.

I know that, in doing so, I have with me the hearts of all who are young and of many also who are old. But I would repeat again and again, we are not living to-day in a normal world. The time is short. We have already passed through one world war, in a single generation, and are on the brink of another. Therefore, in these matters, we must aim at a radical change of heart, which must be nothing less than drastic; for we have to keep pace with the crisis in the midst of which we are living. We cannot go on in an easy, slipshod manner, while the whole world around us is aflame. The revolution has come to our own doors. We have to appeal to the power of sacrifice in the heart of youth to make a supreme effort; and if we do this, we must be ready for sacrifices ourselves. The older generation must not throw the whole burden on the young.

My thoughts, therefore, have naturally been directed to this experience of poverty in my early days. For this drew me as with a magnet to the side of

Mahatma Gandhi in South Africa, because it was clear to me in a moment that he had sacrificed everything for the cause of the poor. The same thoughts drew me also to Gurudeva, Rabindranath Tagore, who has for more than fifty years devoted himself with a heart full of love to the poverty-stricken villagers in his own province of Bengal.

I have gone on to wonder, since coming to Mysore State, whether there might not be formed an Asram or Settlement not unlike what I have lived in at Santiniketan and also at Sabarmati and Wardha,—similar also to Kingsley Hall in the east end of London, where Mahatma Gandhi lived when he went over for the Round Table Conference. For even then he would not lose touch with the poorest of the poor, and he found a home at Kingsley Hall, under the care of Muriel Lester, which was nearest to his heart's desire.

It has been brought to my notice that students go out from this University to the villages; and I have seen the nucleus of a work, such as I contemplate, already started at Bangalore. But I am now asking for a much more extensive effort to be made. Might not there be an Asram or Settlement, directly connected with the University, with buildings of its own, where University graduates might go who were determined to become one with the poor by sharing their hardships?

A Town University Settlement of this kind obviously be best established in the centre of the mill area of Bangalore. It should not only undertake what might be called 'hospital work' by cleaning up the slum quarters, but should also be the home of earnest thinkers and workers who would throw in their lot with the poor and be able to speak impartially for them in those big issues relating to the hours of work, the rate of wages, accident and sick insurance, maternity benefits, etc., which make all the difference in the lives of thousands of poor people. For while Mysore State can rightly be praised for its advanced labour legislation, as compared with other parts of India, yet the utmost vigilance is always needed in these matters in order to see that the law is carried into effect. Only the voluntary efforts of non-officials, men of high character and impartial judgment, can convince the general public that the labourers are being justly treated.

I have in mind another branch of the same University Asram or Settlement,—not in the town, but in the country. This second centre should be established in the very heart of the villages. Here again I contemplate something on a much larger scale than what has been attempted hitherto. My own vivid ideas have been shaped by what I have seen at Rabindranath Tagore's Asram, its agricultural side at Sri-Niketan. At some spot, not far from Mysore, an Asram might be built up on the simplest lines, where men and women could go direct from the University, after their course was over, to live the country life and study at first hand the problems of the villages of Mysore. This should form a kind of laboratory for some of the best and noblest thinkers in Mysore State.

Let me outline for a moment what is in my mind. The Town settlement would consist of a large Hostel built somewhere in the very midst of the poorest quarter of the city. It would have a Hall, where public meetings might be held, and a number of detached rooms, with a common kitchen, where those who were able to do so might take up their residence and share their meals together. Side by side with this, in another Hall, there would be a Public Library and Reading Room where papers and books would be placed. This Library would be opened every evening for any one to come in freely. Night classes might be held there for various purposes. When funds permitted, a small cinema would be added for educational purposes. These buildings would be grouped round a garden in the centre, with flowering trees, which should be kept fresh and cool by means of a plentiful supply of water. It should have beds of flowers and green grass to delight the eye. This garden should be open to the public and form a place of pleasant shade and beauty in the hot sultry evenings at sunset. Those who might come into residence in such a Settlement should live in the plainest manner possible. They should be frugal and economical in their daily life so that the gulf between the rich and poor should not in any way invade the Settlement itself. Those who were still engaged in their University course might come down from time to time to live there along with others who were settled in as permanent residents.

The expense incurred in food and establishment should be such as would satisfy the exacting requirements of Mahatma Gandhi himself, if he were able to visit the Settlement. I have gone into detail in order to make the picture glow before you; for I have had in my own mind all the while the joy of such poverty among the poor which came into my own life, when, for some years, after my college days

were over, I was given the charge of such a Settlement as I have described in one of the slums of London. As I have stated, the whole of my later life which I have spent here in India among the poor received its first impulse in those years when I lived in the same manner in London. They were not only the best, but also the most formative years that I have ever spent; for they shaped the whole of my life in this one direction.

With regard to the second University Settlement among the villages of Mysore, it should include a dispensary and small hospital attached to it and also be made into a handicraft training centre for village boys who might afterwards go back to their own villages to practise what they had learnt.

Further, young villagers should be taught, through classes at the Centre, how to improve the health conditions around them. A kindly and wholesome rivalry might be set up between the different villages which are near the University Settlement as to cleanliness, neatness and beauty. Thus the Settlement itself would be a focus in the midst of the country for all kinds of training which might help the villagers to make a thoroughly genuine pride in their own surroundings.

Through those who came for different purposes to the Centre, a close touch might be established between the villagers and the University Settlement, so that there would be no difficulty for research workers, who come into residence, to pay personal visits to the villagers where they would be welcome. As in the town Asram, the standard of living among the residents would have to be so simple that no villager, who came to the Settlement, would feel out of place. Here again, the standard set by Mahatma Gandhi might be followed.

By means of village fairs, or jattras, it should be possible to give some brightness and joy as well as training and instruction. Such village festivals have their great use in breaking through the monotony of ordinary existence. They add happiness to village life and thus make people ready to stay in the country and not flock to the towns.

Hitherto, I have only spoken of outward prosperity; but there are other things that need to be brought into the villages which are even more important. "Man shall not live by bread alone." The old *mantram* of the Upanishads, 'From joy all things proceed, in joy all things consist, unto joy all things return', is as profound as it is true. What Swamiji told me the other day contains the secret of the best happiness and contentment. "How we used to love one another." That was the inner joy which made men long to return to their own village after their education was over and made them even home-sick for it.

"Our object should be," writes Tagore, "to try to flood the choked bed of village life with the stream of happiness. For this, the scholars, the poets, the musicians, the artists, have to collaborate, to offer their contributions. It is fulness of life that makes one happy, not fulness of purse."

What Tagore means is that the villager needs inward happiness, peace and contentment, as well as abundance of food; and it should be one of the chief functions of University Settlements of this kind to bring joy to the poor.

Joy and Hope! The depression in our villages must cease. Hope must enter, so that Joy may abound. Only by the rich and poor, the University and the villages, coming closer into touch with one another, can this be accomplished, and Mysore remain a happy and prosperous State.

## The Annamalai University Convocation

The following are extracts from the Convocation Address delivered by K. Natarajan, Editor, "Indian Social Reformer", at the Convocation of the Annamalai University held at Chidambaram on the 1st. November 1938 :—

There are many among us nowadays who would say that condolence, not congratulation, is your due for the education which you have received, and on which the University has set its seal at this Convocation. They hold, and hold sincerely, that the education imparted by Indian Universities is worse than worthless, that it has all the defects which education should not have, that it has produced only clerks and social misfits afflicted with slave mentality and incapable of rendering any useful service to the country or to themselves. To it is also attributed the widespread unemployment which affects all classes and from which educated men are not exempt.

To begin with, I have not been able to trace any authority for the statement which is being repeated even by some responsible publicists, that the Indian educational system was designed for the purpose of supplying clerks to the administration.

On the contrary, every speech and minute relating to Indian education contemplated the elevation of Indian capacity for self-government as a result of educating Indians in western science and literature. No doubt many clerks have been educated in our schools and colleges. So have they been in other countries. That does not show that the aim of education in India, any more than elsewhere, was the production of this humble but very necessary class of public servants without whom no modern administration can function for a single day. English education in India has to its credit a long list of men of high character and great talents who have left their mark in every walk of life. More than that, it may be said with truth that all our movements of national progress, religious, social, political, and economic, owe their origin and inspiration to the education imparted in our schools and colleges.

"Graduates of Indian Universities, and you as products of the youngest of them, have thus a heritage to be proud of, I believe, and have often stated publicly that the present generation of our educated class is in several respects superior to us of the older generations. This is as it should be. The young men and women of to-day have many advantages which we did not have. For one thing, we were nearly all of us married and had children when we took our degrees. This was, no doubt, a handicap from which most of you, I believe, are free. Speaking from my own experience, I think that it had also a sustaining and stimulating influence on our lives. But if competition is greater to-day, the field for educated men is also much larger. But I am not arguing the case for University education on the basis of employment or unemployment. There is always plenty of work to do. And the motto for the University man and woman should be, "Whatever thy hand findeth to do that do with all thy might." Do not wait for someone to come round to employ you. Make your own work. Be your own employer.

"I am not maintaining that our educational system is perfect. In no country is it free from defects and, owing to historical causes, it has some defects here from which education in other countries is free. A distinguished Indian friend who is a graduate of both Madras and Bombay Universities, once remarked that the difference between the Madras and the Bombay graduate was that while the former was thorough in what he did, the latter was better at getting things done. This may be said to be the chief difference between Indian education and education in Great Britain and the United States. This lack of initiative, reluctance to take responsibility unless forced to do so, has no doubt something to do with our long political subjection. And it is distressing to observe that the movement which has for its declared object the removal of our political subjection, demands as preliminary the subjection of individual judgment and the renunciation of all initiative on the part, not only of the rank and file, but even of men in whom is vested the responsibility for direction. And what is worse, some of the schemes of educational reform which have been put forward and are sought partially to be given effect to in parts of the country make no provision for promoting initiative in the student generation. India wants more freedom for her growth and for the fulfilment of her destiny. Political independence, unless it brings with it greater civil and intellectual freedom, will not be of much use in this task. A people who have tasted the reign of law even partially and fitfully will not, except under compulsion, revert to personal rule even with the bait of independence.

"One of the worst dangers of the time, which it is especially the duty of University men to guard against, is the infection of the narrow fanatical nationalism which has made a hell of Europe. Under its baneful influence the distinction between right and wrong, just and unjust, true and false, is subordinated to the one distinction of national and foreign. We need not go into mourning for democracy as events have proved that the only kind of it so far developed, is without vision and without conscience; unless we can visualise a future democracy renouncing, like Asoka, war and conquest and bending all its strength to the moral and spiritual advancement of humanity.

"Another and even worse danger which Indian Universities have to combat is that of a narrow bigoted provincialism. The creation of autonomous provinces under the scheme of constitutional reform has undone the unifying effect of a century and half of Unitary rule. Some sort of Federation was necessary if only as a half-way house to the unification of the country which is the true goal of Indian history.

British India, as the largest and most politically evolved unit, would have exerted a progressive and beneficent influence on the Indian States in the Federation. It is, however, too late now to lament the breaking up of British India. The cry now is for the process to be carried further. I feel that the demand will have to be conceded. It behoves Universities as intellectual power houses to range themselves in uncompromising protest against the narrow provincial spirit which in some of its ugliest forms, is already raising its head. It is significant that this tendency is most evident in the so-called linguistic provinces.

I now come to the much-discussed question of communalism. Compared to nationalism and provincialism, I regard communalism as a less evil. Nationalism and provincialism are determined by rigid geographical lines which can only be overthrown by violent political convulsions. Communalism, on the other hand, rests on beliefs which education, especially higher education, seldom fails to broaden. I firmly believe that inter-communal understanding can be brought about only by extending higher education among all classes and communities, and not by mass contacts.

The Hindu Muslim dispute has only a remote interest in South India. The common sense of the two communities in the South led to the adjustment of their relations to each other as friends and neighbours many centuries ago. Even in Northern India there had been a steady movement of cultural fusion between the two communities, as Ranade pointed out in his last address to the National Social Conference at Lucknow. The movement has suffered interruption owing to various causes. Its resumption to which we all look forward and which we should do everything in our power to accelerate will be the final and permanent solution of the Hindu-Muslim question. I have always felt that our Universities can and should do more than they have been doing to place before the country well considered plans for promoting mutual understanding and good-will among our communities. It has sometimes occurred to me that a course of studies may be offered by our Universities in which Sanskrit and Arabic shall have the same basic value as Greek and Latin in the public Schools and older universities of England.

Forty years ago, when I left Madras, there was no Brahmin-non-Brahmin problem in this part of the country. There had arisen one in Maharashtra, but that was due to totally different causes and had aims totally different from those of the movement which subsequently developed here. In the Madras Hindu Social Reform Association, Brahmins and non-Brahmins worked together like brothers. The non-Brahmin movement, as it subsequently developed here, however, was a historical necessity which has now happily passed away and has left the field prepared for concerted action between all sections of the community. This University itself is a conspicuously suspicious symbol of what can be achieved in co-operation. It is high time, however, that the reform of the caste system was seriously taken in hand by Hindu leaders. The present hereditary basis of caste must go.

Political methods are necessarily empirical. But in social reform empirical methods are not only ineffectual but positively harmful. Society is an organic whole. In trying to correct and strengthen its weaker and worn-out parts the reformer has to be extremely careful not to injure the sound and vital parts. The matter is further complicated by the fact that the originating cause of a social malady is often to be found in some practice or institution which has apparently no connection with it. Empiricism is, therefore, clearly out of place. There must be inquiry, research, exact adaptation of means to ends.

Take another question, the abolition of untouchability in Hindu society. Are we really helping to abolish untouchability by making laws specially applicable to Harijans? Direct action in social reform often defeats its own purpose. I may add here that the Prohibition measures which are steadily being pushed forward in several provinces, are sure to do more for the social and economic regeneration of the depressed classes than any of the other measures specifically intended for their benefit.

I must now bring these rambling remarks to a close. I have set before you my ideas on some of the burning topics of the day. I do not expect or desire that you should adopt my views. But I do wish that you, with your fresher minds more attuned to present-day world conditions, should consider them with an open mind.

South India in particular, is pre-eminently marked out for this high destiny. Here, too, were the earliest settlements of Jews, Christians and Arabs. It was here that the two great streams of thought—conventionally called Aryan and Dravidian—coalesced into the broad stream now known as Hinduism. Another remarkable peculiarity of South India is the almost complete freedom of racial bitterness with which the political aspirations of the country are sought to be attained. I was talking to a distinguished Indian—a Bombay Muslim—a few months ago, and he too was struck by this feature of the political movement in Southern India. I was inclined to attribute this to the tradition of good understanding between British and Indians handed down from early administrators like Sir Thomas Munro. My friend thought that the principal factor was the policy of Christian Missionary education followed in South India. Both causes have no doubt contributed to the good result.

And we have, too, the secret of integration, of the link between thought and act, in a single verse in the Bhagavad Gita, which, translated in English, means : "From Whom all existence proceeds, by Whom all things are pervaded, Him adoring by the devoted performance every one of his duty, man attains perfection." Here, as Professor Deussen put it, you have morals and metaphysics together. The education imparted in Universities should, if it is worth anything, place a man in the way to discover what his duty, his special purpose and function in the society and in the world is. For each of us has a special place and function. By faithfully fulfilling it he attains perfection. Even if he fails, he need not worry. "The prize", as Robert Browning tersely puts it, "is in the process". Finally bear in mind the promise of the Gita that no one who earnestly and honestly strives for a great and good purpose ever comes to grief.

## The Agra University Convocation

The following are extracts from the address delivered by the Hon'ble Sir *Shah M. Sulaiman*, at the Annual Convocation of the Agra University held on the 12th. November 1938 :—

Since the publication of the Sadler Commission's Report, there has been a swing in favour of residential universities of the unitary type, although the Calcutta University itself for which it was primarily intended, did not adopt the report. The Agra University came into existence as a necessary result of the Allahabad University following the recommendations of the Commission and converting itself into a University of the unitary type. The colleges outside Allahabad which had been under the Allahabad University were grouped together and constituted into the Agra University which had to assume a Federal type.

I will not venture to go into the comparative merits and demerits of the Federal and Unitary types of universities for it is obvious that universities of the Federal type are essential to keep within their fold scattered educational institutions not large enough to constitute University centres. I have no hesitation in saying that the Federal type has its own value, and can undoubtedly develop on its own lines into the highest form of an examining and controlling body, which can set up a high and uniform standard of scholarship for students scattered over a large area. I hope that this University will in due course reach that stage of perfection and play an important role in the development of higher education in the country. A Federal university of the type of your university serves its own good purpose, and is by no means an institution to be despised or condemned. Unlike a self-centred University which may fix its own isolated standard caring little for others, the great advantage, which a group of constituent colleges possess, is the existence of a keen and healthy competition among them, as the quality of their work is annually tested on the announcement of the results of the University examinations. The disadvantage, of course, is that each college has to maintain distinct and separate staffs, libraries, laboratories and other equipments, involving multiplication and diffusion of activities. But when one bears in mind the vast area of this sub-continent and the enormous population which our Universities have to serve as well as the pecuniary and other difficulties involved in establishing too many residential Universities, it can hardly be denied that the establishment of separate and distinct colleges, all governed by one central university located at a convenient centre, is the only practical solution available. Indeed, if knowledge is to expand and University education is to be made

accessible to the rich and the poor alike, it seems imperative for us to have as many colleges with the degree classes as possible, located at all the principal district centres throughout these Provinces. This purpose is amply fulfilled by the Agra University, which comprises fifteen colleges at present. In time to come we may legitimately expect that the separate colleges in the larger cities in these Provinces and Rajputana which constitute your University will in due course themselves become new and self-contained University centres.

No doubt a non-residential University cannot possess some facilities for higher research work as a unitary teaching university located at one centre can do at greater cost. But after all research work is not the only advantage of higher education. That advantage is reserved for the selected few of the brilliant type who can devote their whole time to study and research without regard to future pecuniary prospects. Teaching and imparting education on a large scale are also well-recognised purposes of a university and these purposes are fulfilled with greater success and efficiency by numerous colleges at different centres than by one university at a particular place. For poor students, who can just manage to live with their parents and can not afford to migrate from their homes to reside at a distant University, the colleges at their own cities are not only convenient but necessary. The growth of schools into Intermediate colleges and of Intermediate colleges into Degree colleges is a natural evolutionary process, and should be encouraged. The multiplicity of colleges is not an evil to be condemned. Students who wish to prosecute their studies further with a view to carry on research work can easily move to one of the residential universities, of which we have not too few in these Provinces. Nor must it be overlooked that during the first decade of its existence some colleges of the Agra University have, in spite of their limited means, prosecuted research work of which any institution may be proud.

Unemployment is a chronic problem in India, as well as in highly advanced Western countries and its solution is by no means an easy one. Not only the educated classes but even the illiterate labouring classes are hard hit. That unfortunately is the inevitable result of the rapidly increasing population, without any outlet for the surplus even in almost uninhabited continents. Whether we educate our young men and women or do not educate them, unemployment is not going to disappear so long as there is no check on the increase of population. But education should certainly assist in discovering new avenues of employment, if State help were forthcoming. Even a reasonably small percentage of the vast Indian population, if educated, would be unable to find employment in the Services. The remedy is not a restriction in the number of the educated, but a wide expansion of trade, industry and commerce. As unemployment among the educated classes naturally creates discontentment and dissatisfaction with the existing order of things, it is all the greater duty of the State to take steps to ameliorate their conditions. The recent movement for Rural Development is a welcome move; but a similar endeavour for urban development is equally called for. What is wanted is a well-organised scheme for stimulating indigenous industries and marketing their products. We need first rate experts to train our youngmen and women to set up small industries not requiring much capital as investment.

A great political leader of India has recently remarked that "Universities must be made self-supporting and that they have no claim on State funds, but that they should be maintained by examination and other fees paid by students and by endowments from industrial and other organisations which employ graduates". He has in strong language said that he is opposed to all higher education being paid for from the general revenues, and has proclaimed his firm conviction that "the vast amount of the so-called education in Arts given in our colleges is sheer waste, and has resulted in unemployment among the educated classes, destroyed the health, both mental and physical, of the boys and girls who have the misfortune to go through the grind in our colleges." This is a scathing criticism which one may venture to hope is not quite justified.

As an ideal the University may no doubt be self-supporting but this does not hold good for a backward country. There is just as great a responsibility of Government to advance the cultural and intellectual progress of its people as to advance their health and safety. In India education would not have progressed at all but for State aid. If private benefaction were forthcoming, if our millionaires, big commercial magnates and rich landed proprietors, by their acts of generosity, were to make large endowments, and if we had in India anything like the British or American

philanthropy for founding Universities, there would be no need for Government help at all. But that time seems to be far off. As things stand at present there is not a single University in British India which can support itself without Government aid. So long as private sources remain inadequate, the claim of Universities on Government funds must be recognised. India is still in its infancy so far as its educational development is concerned and in early stages we should not expect the Universities to be financially self-sufficing. If Government help were to be withdrawn suddenly the Universities would find it utterly impossible to meet their expenses out of fees received from students unless the fees are raised to an exorbitant extent and this in turn will cause such a serious fall in the number of students as to frustrate the object itself. The progress of a country is indissolubly connected and bound up with the growth of its University education. Its advance depends on the quality of its University men who become pioneers in various activities when they enter life. All development will be seriously jeopardised and all growth arrested if the Universities were unfortunately to collapse for want of sufficient funds to run them. No greater calamity can befall India than the closing down of its Universities and the barring of the door of higher education except to those in possession of golden keys. For generations there has been an agitation that far too little was being spent on education. But now there is a sudden somersault and we hear the complaint that too much public money is being spent on Universities.

Nothing is more alarming than this novel attitude of mind towards higher education which envisages its being left to private enterprise only, absolving the State of all responsibilities respecting it. According to this strange proposal University charters will be given to groups of men with approved integrity and honesty provided the State has to bear no cost of running the University. The State will only run a department of higher education which will meet its expenses by the fees realised from examinations." Such an arrangement on the very face of it would be wrong in many respects, the greatest objection being that it will perpetuate and even multiply the present defects in higher education which all educationists are endeavouring to remove. The evils of such a retrograde step which will place higher education at the mercy of private enterprise, can be pictured only by those who have some acquaintance with the kind of Universities existing in some of the smaller States of America, where Doctorate degrees are conferred on applicant by correspondence.

The benefits of University education are not confined to the student community of particular years but spread far and wide; its utility is widespread, and the entire country benefits by the advancement of higher education. The graduates in Science and Arts, who pass out of the Universities, take an active part in the development of the country and many become leaders in the various spheres of life. Their number may be small, but their potential value is great. They help to raise the general standard of the country far more quickly than would be the case if education were confined to studies of a primary character only. All these should be a sufficient recompense for the Government grants, which Universities receive. After all, no country can progress without highly educated leaders and a large percentage of our most distinguished men have not come from families notorious for their affluence.

There seems to be a universal demand for vernaculars being made the media of instruction. This is already being done in the primary schools, and the method can be easily extended to secondary schools. No one can object to the programme of gradually making Vernaculars the media of instruction at the University stage also, and I do earnestly hope a time will come when our literature will be so enriched with translations from Western languages and also with original productions as easily to supplant and replace English: but the stage has not arrived yet. Higher studies in Philosophy, History, Economics or Political Science cannot be had without the knowledge of a European language. For the Sciences, knowledge of even German and French in addition to English is also required. It would be an idle claim to put forward at present that for acquiring Western knowledge, the English language, which is spoken not only throughout the British Empire but also in the greater part of North America, and possesses a vast literature, can be easily dispensed with. Vernaculars should be gradually, and not suddenly, introduced as the media of instruction. This is quite practicable. The Osmania University, enjoying a generous and magnificent State grant, has already started the experiment of teaching all the subjects in vernacular, English being retained as a compulsory subject.

In a Totalitarian State, the educational ideas of the Dictator and his faction are forced on an unwilling population, as he claims to be the sole judge of the interest of the entire nation and absolutely infallible. Whatever he thinks is the final word, and whatever he orders is the law. That attitude of mind should not prevail in this country. Education is an international subject and we should draw upon the researches of educationists in all the countries and profit by their experience, and not be carried away by the bold ingenuity of an indigenous theory. It would, therefore, be a grave misfortune if existing schools were to be abolished on a wholesale scale and replaced by schools of a new type modelled on a new educational theory. The wiser course, of course, would be to start a limited number of schools of the new type and leave the success of their real working to be judged by actual experience.

The existing educational system is certainly defective and has not produced the desired results. But much of that is not due to any defect inherent in the system itself, but to many extraneous causes and surrounding circumstances, for which the existing system has been rather undeservedly condemned. In the University we are not directly concerned with schemes of primary education. Nevertheless, as the primary schools are the foundation of the educational system, and the secondary schools built upon them serve as feeders for the Universities, University authorities and academic bodies cannot be altogether indifferent to any drastic reform of the primary schools that may be in contemplation, as this is bound to have repercussions later and may affect the quality of University education itself. The system of education, as it exists in India to-day, unquestionably needs drastic reforms in many directions. But what we have to see in every endeavour for reform is that we may not change things for the worse; and for this purpose we must have a clear vision of our objective. A drastic change introduced in haste may furnish cause for repentance later.

Educational outlook has undergone phenomenal changes during the recent years; and what was a few years ago merely a demand for an industrial bias to our education has come to be regarded as the sole objective. For the great masses of the students receiving primary education, if it is made free and compulsory, greater stress should unquestionably be laid on manual training and handicrafts. The new schools that are established particularly in the rural areas, should be of the vocational kind. As regards the urban areas, the earliest steps taken should be to gradually transform a number of the existing secondary schools into the Polytechnique type of schools, giving a practical bend to vocational training for those who have no ambition to prosecute their studies further. At the same time it should be remembered that technical schools cannot be developed to an unlimited extent, for available occupations may fail to absorb all the products of the schools. The schools of the literary type must also exist side by side with the Polytechniques, for the benefit of those who wish to prosecute their studies further. Considerable difficulties are bound to be experienced if too great attention is paid to exclusively practical training in all the secondary schools. The new kind of students joining the University will not have been trained on lines requisite for a University career, and the practical knowledge acquired by them at the expense of theoretical knowledge would be of very little avail to them for purposes of higher education. Even if it be assumed that there would be a bifurcation at the secondary stage, it is to be feared that quality will suffer as a great part of the students' time will have been devoted to pursuits of a non-literary character. The only appropriate course is to have schools of both the types side by side for the two different purposes in view.

It would not be fair to criticise, on theoretical grounds only, a new scheme carefully prepared by a body of educational experts. It would be more just to give it a fair trial, and watch the result. But even a friendly critic can draw attention to a few broad points in order to sound a note of caution regarding certain aspects which do not *prima facie* appear to be convincing.

The original notion that the new primary schools should be "self-supporting" has had to be abandoned. But even the modified idea that the new type of schools would pay towards the costs of the teaching staff or even cover the major portion of the running expenses is nothing but over-optimism. The true economic value of the articles produced would not be sufficient to meet even a fraction of the total expenditure. To get over this difficulty the suggestion is that the State should guarantee taking over at fair prices the product of the work done by the

school children. The sale-proceeds of the articles made by the children even at the high schedule rates can hardly suffice to pay the salaries of the staff, much less for other heavy expenditure like, buildings, equipments, books, furniture etc. The purchase of the school products would be useless without the State enforcing their sales at the inflated prices. The responsibility thrown on the State for the purchase of the products at fixed rates, irrespective of their quality and workmanship, would require a State organisation for forcing such products on the market and compelling people to purchase them at high prices regardless of their intrinsic value. And if, on the other hand, they are to be sold at their proper market value, the loss borne by the State would be merely a novel form of indirect grants to the schools, with the expenses of the sales organisation unnecessarily added. Flat rates for purchases of articles, in spite of their varying qualities would kill all incentive for improvement. If expenses of the school are to be met largely out of such income there will be a very serious danger of the young children being exploited by teachers who are anxious to win the favour of the inspecting staff by showing a good output. They would be inclined to exact as much manual work and labour from the children as possible, as they would be obsessed with the importance of the economic aspect at the sacrifice of the educational and cultural. A child of tender age is not expected even to pay for the nourishment he receives, and has to be fed and clothed by his parents, far less should he be made to work to obtain education through his own labour. If he comes of a poor family, he gives some kind of a return for his maintenance, when he grows older by manual labour of sorts. To compel his parents to maintain him for a long period of seven years while the poor child is working hard all the time to maintain the teaching staff of his school seems a little incongruous. Such a system may degenerate into an exploitation of child labour.

For children in rural areas, who have no expectation of prosecuting their studies further, greater emphasis should appropriately be laid on manual labour which would be of practical utility to them. A reorientation is needed for making education in rural schools more practical so that the boys may receive sufficient training for doing productive work and become capable of earning a living for themselves. But for those children who will ultimately pass into the secondary schools, particularly if preparing for a University education, too much time spent on manual training up to the age of 14 would be a serious handicap to them. As matters stand at present, the time spent in secondary schools is not sufficient even for imparting to the boys all the knowledge that they should necessarily possess before joining a University. If during the first fourteen years they are to spend more than two-thirds of their school-time on forms of industrial training and less than one-third on cultural training, as has been actually proposed, the time devoted to the latter would be grossly inadequate, and it is extremely doubtful whether the boys would at all be able to assimilate the subjects prescribed in the elaborate syllabus. They are sure to remain weak in their secondary stage and will consequently be later all the less equipped for joining a University. The syllabus prescribed appears at first sight to lay too much emphasis on training in weaving and spinning, which are apparently regarded as the basic craft. This no doubt has a political value, but there should be a limit to carry politics into everything. The proposed syllabus ignores many other equally important rural industries. Even assuming that co-education is to be decided upon, one would have expected that in vocational training also there would be some distinction drawn between the kinds of education to be given to girls and boys. One common syllabus for both boys and girls, as appears to have been attempted, is open to question. Domestic science, cooking, knitting and sewing should be indispensable for girls. As for boys, sports and drill should never be overlooked.

I am anxious not to be misunderstood, and would therefore mention that I have myself for years in Convocation Addresses been strongly advocating that a pronounced vocational bend should be given to our education. I do not minimise the importance of economic considerations and the imperative need of improving one's financial prospects. But these should not be given more than their due weight in educational reforms. In the matter of higher education, pure pursuit of knowledge should not be mixed up with the problem of food. We have to think in terms of the nation as a whole just as much as in the terms of individuals. The test of a highly educated man is not only that he is able to earn so much, but rather how best he can serve in the intellectual uplift of his country. Eminent scientists in advanced

countries have never been as rich as manufacturers of motor cars or tin-plates, and yet humanity owes more to the former than the latter. In our own country, we have heard and seen eminent men of letters and science who lived for knowledge and died as poor men, while others with much lesser intellectual attainments rose high in life, built palaces and left crores for their children. It is thus obvious that knowledge cannot and should not be taken solely as a means of earning livelihood or wealth, and our schemes of educational reforms should not be overweighed with any such extraneous consideration. Life is more than bread and butter, University education has the nobler purpose of acquisition, advancement and diffusion of knowledge left by our ancestors, and then enlarge and expand it by our own researches, and finally hand over the accumulation to posterity, with the satisfaction that we also have played our humble part in the advance of human knowledge to the eternal benefit of mankind.

It remains now to offer to you, my young friends, who have come here to-day to receive your well-earned degrees and diplomas my heartiest congratulations on your success at the examinations of the University. You are about to enter into a life which is far more varied and complex than that which your elders lived. For one thing, the question of livelihood has become much more vital to-day than it ever was in the past, because it is becoming daily more difficult to secure means of subsistence. Most of you, perhaps, would prefer to walk the easier path of seeking a job and living a life of contentment on scouring it. But employments are not so easy to obtain now as they were some decades back. The influence which your elders in the family and at the University can exercise in your favour is no longer of any great effect, for most of the Government servants are recruited as a result of competitive examinations in which merit alone counts, and not such recommendations as you may be able to procure. The inevitable result will be more disappointments than satisfactions, and fewer successes than failures. The problem before you will call for the greatest amount of patience and fortitude, with which, I hope your training in the University has fully equipped you. I offer to all of you my best wishes for your successful careers. A man of education and culture, in whatever sphere of life he may be placed, should ever feel that the main function of his life is to advance the knowledge he has acquired in his college. In other words, he should think that his student-life has not yet ended, nay it has only started after his passing through the limitations and routines of academic life. A man imbued with this spirit will continue to read and study and think in whatever situation he finds himself, employed or unemployed, whether in trade, professions or public service, be he rich or poor. To him this life will be precious, despite all the bitterness of his experiences, and to this type I hope every young graduate of this University will try to conform.

### The Patna University Convocation

The following are extracts from the address delivered by *Professor Amarnath Jha* at the annual Convocation of the Patna University held on the 29th. November 1938 :—

All my life-work has brought me into touch with students, and I am happy to have this opportunity of meeting the rising generation of my native province. Of a rectorial address it has been said that it is not a speech, it is not a sermon, it is not a lecture ; it is by tradition too long to be light, too short to be exhaustive. Convocation Addresses have tended latterly to be essays in educational reorganisation or else they have dwelt on unemployment more dread than Gorgons, and Hydras, and Chimaeras dire. I have made elsewhere my own contributions to these subjects, the importance of which I for one do not minimise. But I desire to transcend these topics and address myself to matters that more vitally and permanently affect the lives and thoughts of those who are to-day sent out by the University in the confidence that they will be faithful to the light within them. You see so much around you to depress and dishearten. The entire age seems so lacking in moral grandeur. In moments of doubt you fear you are no better than shadows in a dream. What light can I shed, what golden spell can I weave to shatter these clouds of darkness ? In the words I am to address to you I shall try, if you will bear with me, to persuade you that, despite the many circumstances which make you imagine that weary thoughts and hours of pain and hopeless moods are your appointed lot, he was a false

teacher who said that the happiest were those who were never born and the next happiest those who died as soon as they were born. In the world around us there seem signs of coming doom. Contemporary events in India and abroad, the negation of morality in international affairs, the economic muddle extrication from which appears, so improbable, the jars and tangles of public life,—all combine to produce a state of mind akin to despair.

There is, indeed, much to cause torments of grief. Even in India where the number of literate persons is woefully small, there are hundreds, perhaps thousands of young University graduates who feel that the world is out of joint, and has no use for them and can do nothing for them. Well-meaning gentlemen, whose sympathies are keener than their vision, suggest in despair that there is too much of education in this country. One of my most distinguished predecessors on this platform said that he could not reconcile himself to India becoming a nation of learned beggars. Mahatma Gandhi, whose word is law to millions and to differ from whom is to fall from grace, says that the state should cease to run its arts colleges; voluntary contributions should support medical colleges, agricultural colleges must be self-supporting. Even though he would not dream of forcing his opinion on others, yet such is the reverence for him, and so high is the regard for his views, that even some progressive thinkers have been hypnotised into agreeing with him. With the utmost deference and humility I wish to state that the problem is not mainly one of education and that a good education can become a cure for our ills only when it is associated with good conditions in other departments of life. Good education will be fully effective only when there are good social conditions and, among individuals, good beliefs and feelings. One who has attached so much significance to the spiritual life does not need to be reminded that mere wealth-giving training, education that has only an economic significance, serves only one—and that not the higher—side of human nature. A community may be competent in economic, defensive, sanitary, even political concerns: it will still need something which will minister to its higher needs. Much of it may have no direct bearing on the earning of one's daily bread, but it undoubtedly determines what a man is and what a nation will be. There is so much confusion in the prevailing discussion on this vexed subject of the difficulty of recent graduates to find employment, so much vague talk, so much mischievous agitation that it is necessary to utter a brief word of warning. "Unemployment is mainly a symptom of industrial maladjustment." The world is getting over-populated. In 1918 there were 1,900 million human beings: a century ago there were half this number, and the rate of increase continues to be one per cent per annum. If this rate is maintained, it has been calculated that the earth will barely provide standing room for all men. Then most countries have lost or are losing their foreign trade, thanks to exceedingly effective protective tariff walls. There is the rapid and progressive increase in labour-saving contrivances, which in some trades enable one man to do the work of twenty and which have made men the victims of the machines which they have created. Women are being employed in increasing numbers as wage-earners. These are the main causes of unemployment. Among the various remedies adopted in different countries to check overcrowding in the professions and to relieve unemployment are: controlling student enrolments, raising of fees and lengthening of courses, discrimination against women, prohibition of multiple employments, lowering the age of retirement. But, "what is needed is a clear insight into existing trends on the labour market, a full understanding of the shifts in occupational patterns caused by technological progress and its repercussions upon the economic structure and the social concepts of the various countries." In India a careful survey of the country's needs and a clear view of the social structure of the future must precede the educational planning which is necessary and indeed urgent. This careful planning will prevent the revolution which is inevitable if there is a large number of dejected, hopeless, hungry intellectuals.

If we cannot dream, must we then despair? "Why were the saints saints?" someone asked. And the answer came, "Because they were cheerful when it was difficult to be cheerful, and patient when it was difficult to be patient. They pushed on when they wanted to stand still, and kept silent when they wanted to talk." One of the most distinguished of British medical men said the other day that a certain aloofness, a withdrawing of the mind at times from the busy-ness of life is a requisite to mental hygiene. Well, in the quietness of thought, let us ask if the foundations of modern philosophy can stand only on the assumption that the whole temple of

man's achievement must inevitably be buried beneath the debris of a universe in ruins. I believe that man is not surrounded only by infinite wrath and infinite despair. Country, literature, art, the sciences, philosophy, and religion all combine to make life sweet, even though the thorns may cause one to bleed. There is, despite many indications of darkness and storm and the after-silence that is more frightful still, ample justification for the faith that we are something more than remnants of a dream, and that we keep marching on to the light celestial.

Have faith in yourselves and in your destiny. Greatness and goodness never die. Believe in your own thoughts and hopes and ideals. Say what you have to say with all the skill and charm that you can command; if there is any worth in your thought your words will soon become the trumpet of a prophecy. Do what you can do with all your might. Do not be afraid of making mistakes. He who never made a mistake never made anything. Have ambition. Above all remember that where there is no vision, the people perish. Who could have prophesied that the young Warwickshire lad, ill-educated apprentice to a butcher, would live to write poetry that not marble, nor the gilded monuments of princes can outlive, and create characters more familiar to us than our most intimate friends? Who that knew the young Prince Siddhartha, brought up in luxury, winning the love of meek Yashodhara with whom he dwelt in a palace so stately and beautiful that in all the earth there was no place like unto it, where no whisper reached of aches and pain and sickness, and even the decaying rose and the dying leaves were hidden from sight, —who could have imagined that he would leave it all behind him, and choose to wander over the earth, clad in the garb the out-casts wear,—and this because of the voice of sorrow that hurt him and the pity that moved him, searching ceaselessly the Light and the Law? Or in the seventh century, a child of the tribe Koreish, engaged as a caravan conductor, only moderately educated, learning the habits and the language of the Bedouins, accompanying Meccan traders to Syria and perhaps Egypt, who could have known that on Mount Hira he would receive the revelation that made him God's mouthpiece, and enabled him to enunciate the momentous doctrines of the unity of God and the future life? But these and other tall men, sun-crowned, have all relied on themselves, have all had faith in themselves, have all spoken their latent conviction, have all contributed to the world what none but they could contribute. Had they allowed adverse circumstances to dishearten them; had they yielded to the storm and the tempest; had shame or neglect or abuse deterred them from their path or dimmed the vision that inspired them—they could not have carved their names in the Temple of Fame. Remember Doctor Johnson teaching schoolboys, compiling his Dictionary, reporting parliamentary speeches, dwelling in squalor, with no passion for clean linen, his wig singed, his slippers torn, his breeches baggy, yet in a company that included the brilliant artist, Sir Joshua Reynolds, Burke, greatest of political philosophers, Goldsmith, the bur otherwise known as Boswell, Johnson occupied undisputed the first place. Remember Robert Burns, in the dark hour of neglect making the attempt to win the peace of eternal oblivion, contemplating the living presence of death while still young, and yet singing deathless songs, tender without losing strength, declaring his robust conviction that the honest man, though e'er so poor, is king o'men for a' that. Remember, in our own country, Kalidasa stung to shame by the scorn of his learned spouse, devoting years of hard work, scorning delights, assiduously wooing the muses and growing to be a poet and dramatist for whom as for Homer seven cities contend as to being his birth-place, but who is the priceless possession of the whole world. And remember Ghalib, imprisoned for the alleged crime of gambling, so humiliated as to long for escape to Egypt, Persia, Baghdad; in financial straits as a result of the rising of 1857; his pension stopped; yet writing verses that are at once the delight of the many and a present worthy of Apollo. What could they have achieved without the burning conviction that great words, great thoughts, and great deeds cannot do but with the sun and moon renew their light for ever?

It may not be given to everyone to reach the heights; many are called, but few are chosen. No one knows the elect are to be. Honest endeavour, the exercise of all one's talents, unremitting toil will carry one far, and if, as may happen, failure should be the end, the consciousness of health not abused, intellect rightly employed, and service faithfully attempted will be a source of comfort and solace. And what can one do more than try? You cannot be leaders all, but you can be useful in your own humble spheres and have faith in those who are selected to lead you. Above all, have faith in the country that gave you birth. We have much to learn,

it is true. But it is true also that our civilisation and culture are possessions of which we may legitimately be proud.

Our Literature, both in Sanskrit and the numerous modern languages, is vast and rich and varied. Whether we look to the Vedas, the inspired word of the sages who lived when the world was young and who sang hymns that reveal so much feeling, such appreciation of the elemental forces, and so much wonder and delight; whether we travel a few centuries forward and listen to the sonorous lines of the Upanishads, the oldest philosophical compositions of the world; whether we travel in the realms of gold and breathe the pure serene of Bharavi and Dandin, Bana and Magha, Bhavabhuti and Kalidasa; then whether we lose ourselves in the philosophical mazes of Kapila, Goutam, Jaimini, Shankara, Kumarila, and Vachaspati; or whether we read the ever-fresh legends of the divine heroes of the Mahabharata and the Ramayana; in whatsoever direction our tastes may lead us, whether in astronomy or mathematics, the fine arts or the useful arts, Sanskrit will answer our highest expectations and provide us with some of the sublimest achievements of the human mind. Nor are our modern languages unworthy. Who can remain unmoved by the songs of the Vaishnava lyrists or the more homely utterances of the wandering minstrels, or listen without rapture to the modern seer, the pride of Bengal and of India, Rabindranath Tagore? Bankim Chandra Chatterji, Sarat Chatterji, Romesh Dutt, Michael Madhusudan Datt, Nabin Sen, Dwijendra Lal Roy, Atul Prasad Sen, Nazrul Islam are some of the other masters of Bengali whose works their grateful countrymen will not willingly let die. In Bihar, we have Jyotirishwar Thakur's Varnaratnakar, in all probability, the earliest book in a North-Indian language; the religious hymns and the love poems of Vidyapati, a Maithili poet who is claimed both by the Bengali and by Hindi; the lovely lyrics of Govindadasa; some of the best specimens of modern drama by Krishnadatta, Umapati, and Harshanath; the writings of Ambikadatta Vyas, Mohanlal Mahato, and several other younger writers such as Diakar. Of Hindi the treasure-house is of ample proportions; a large corner is occupied by Tulashidas, whose *Ramacharitmanasa* has been compared to the Bible in its influence on the daily life and thought of vast multitudes; Surdas, whose *Surasagar* is a veritable epic, characterised by remarkable insight into human nature and a truly wonderful gift of character painting; Mira, whose impassioned and spontaneous songs a saintly Sappho might have envied without being able to achieve them; writers on poetics and rhetoric whose number can hardly be computed; masters of heroic verse such as Bhushan; and in modern times, Harishchandra, Mahavir Prasad Dwivedi, Ratnakar, Ayodhya Singh, Shridhar Pathak, Premchand, Maithilisharan, Jay Shankar Prasad, and younger writers like Sumitranandan, Nirala and Sudarshan. In Urdu we have the charming simplicity and directness of Mir; Sauda who touched many forms and touched nothing without adorning it; the deep thoughtfulness and originality of Ghalib; Dagh so reminiscent of the cavalier lyrists, but more arch and more nimble in his intellect the vast canvas on which Aneos paints the deathless story of Karbala and makes it so human and so near to men's business and bosoms; the rich inventiveness and copiousness of Sarshar; the half-playful half-serious wit and irony of Akbar; Shad of your own Azimabad; the splendour that was Iqbal; Hasrat Mohani, who, alas now gives to party what was meant for mankind; and Safi and Zarif of Lucknow and Saif of Delhi and Asghar and Josh, and Jigar. I wish I had the knowledge to speak of the other languages of the land, Marathi and Gujarati, and the rich languages of the South, each one of them, whether old or young, with a noble literature.

Again our art is truly an expression of our national self. A modern writer says that Beauty is the feeling of being raised up, and according to a Sanskrit poet Beauty ever gains a newness and a freshness. These qualities of freshness, newness and nobility are especially noticeable in the art of our country. The stupas of Sanchi; the sculptures of Bharhut and Amaravati, with the lovely Yakshinis and the aerial dryads; the great Stupa of Borobudur—the greatest Buddhist monument in the world—with its eloquent tale of love and worship, the familiar scenes at the well, a group of women under the shade of the Bodhi tree near the village temple, or the next scene, a group of dancers and musicians this time rapt in melody and forgetful of all but rhythm and motion, or another panel depicting a rich argosy tossed in a tempest, with the angry waves rising on all sides; the Ramayana story engraved at Prambanam in Java, or on the temple at Somanathpuram in Mysore; or some of the miniature images of Tara and Prajnaparamita—are possessions that we would not part with. And then the Frescoes at Ajanta—the Bodhisattva of Cave I with the

expression of peace and serenity on his face, the great benediction of his smile, the Dance Scenes also in Cave I; the mother and child in Cave XVII, the flying Apsaras, and the unmistakable figure of the lutanist Narada, fond of mirth and mischief—the entire group giving the impression of airiness; and, finally the Toilet-scene—all pictures made by retired monks, working in forest caves surrounded by wild beasts toiling in the dark in spots where the rays of the sun hardly shine for more than one hour in the day, sleeping on stone benches, spending their leisure hours in prayer and meditation—but all breathing a spirit of love and delight and pleasure, overlooking nothing, depicting every side of life, from the great Buddha bringing Wisdom, and the King surrounded by his Court to the beggar and the outcast and even the pedagogue thrashing the wayward pupil. The stupendous temples of the South and the elfin beauty of Anasagar and the gardens of Srinagar and last of all the Taj, “a song of joy transmuted into stone, rhythm and rest, motion and pause at one”—what noble heritage could we wish to have? And we have great spirits still with us—Nandal Bose, Chughtai, Asit Haldar, Sarada Ukil, Samarendranath Gupta, Rup Kishan, Bireshwar Sen, Kanu Desai, Kshitindra Majumdar, Mukul Dey, Dhopeshvarkar, Devi Prasad Roy Chaudhury, the Tagores, A. D. Thomas and several others. A brilliant nineteenth century writer, noted for his paradoxes and his wit, said that there is no such thing as a national art; there are merely artists. But Indian art has a distinctive meaning. There is such a thing as Indian Art. The Indian artist, it has been said, is both priest and poet. This is the essential feature of our country's art; it suits our national genius best; and it should indicate the lines along which our art should develop in order that the traditions of tranquillity and harmony and idealism may be maintained; it should not degenerate into those cubes and straight lines and smudges of paint which masquerade as the art of the future.

Our music too, despite much discouragement, has never been mute nor lost its special characteristics. Professor Tovey, a distinguished authority, speaks of European music prior to the fourteenth century frankly as beyond our powers of appreciation. In our country, however, the continuity is maintained. The Sama Veda is a remarkable specimen of the preservation unbroken of an almost pre-historic tradition, for its hymns are recited today in the temple of Martanda in Kashmir and in the schools of the South in the identical style of the Vedic singers of old. The enchanting strains of Krishna's flute made the milk-maids forget themselves and their task in rapture. Most royal courts in Kalidasa's day had a regular music-room. Under the patronage of the Mughal Emperors music flourished exceedingly; the *Ain-e-Akbari* mentions no fewer than thirty-six court musicians—singers, and players on musical instruments, both Hindus and Muslims,—for whether at Gwalior or Luoknow, Gujrat or Malwa, music knew no distinction of race or creed. From this province of Bihar, the Nacharis “in the Terhut language, composed by Vidyapati, on the violence of the passion of love,” found their way, according to Abul Fazl, to Akbar's Court. Then the religious reformers, Surdas, Kabir, Nanak, Chaitanya, Dadu, Ramdas, Tukaram, Chandidas, gave a constant impetus to music. The intimate connexion between music and many of the other vital concerns of man is constantly emphasised by our poets and musicians. An Indian raga, it has been well observed, is a work of art in which the tune, the song, the picture the colours, the season, the hour and the virtues are blended together.

But while asking you to be proud of Indian literature, Indian art, and Indian music, I do not for a moment suggest that we have reached the end of our achievements, that we are not capable of further experiment and innovation. Who can place a limit to our aspirations?

Those who have watched the uses to which scientific knowledge has in recent times been put are feeling alarmed, and the smouldering distrust of it comes once more to the surface. The practical advantages for which it is valued—the convenience of a motor-car or a bus, the skill of the physician or the surgeon, the knowledge of the influence of heredity, the meaning of dreams, antiseptic, film-making, the talkies, contraceptive, television, radio communication, stream-lined transport, air-conditioning, air-ship, and the many other momentous contributions of science to the preservation, understanding and enrichment of human life—fade into insignificance when we recall the automatic pistol, the shell, the poison-gas. The scientist appears to be still an intellectual all-in-all, who allows his gifts to be misused. One recalls the statement of Leonardo da Vinci that a science is perfect in so far as it is mathematical. Eddington, a philosopher among scientists and a scientist among philosophers, assures us that the

materialistic scientist must presumably hold the belief that his wife is a rather elaborate differential equation. He says too that the universe is a thought in the mind of a Supreme Mathematician ; for all the pictures which science now draws of nature and which alone seem capable of according with observational fact, are mathematical pictures. All this suggests a purely material, a purely intellectual, a laboratory attitude. One star, said St. Paul, differeth from another star, and the man of science is the last person to think of his own work as the one road leading to the light. Knowledge is inexhaustible and we can never know all. This should encourage a mood not of despair but rather of exaltation. There are always fresh realms to explore, new worlds to conquer, and the paths of all the western stars to discover. The conflict between science and faith is in reality no conflict. Eminent scientists speak of their own work as having been conceived in a state akin to what the mystics call 'ecstasy'. Einstein, speaking of Max Planck, says : "The emotional condition which renders possible such achievements is like that of the religious devotee or the lover ; the daily striving is dictated by no principle or programme, but arises from an immediate personal need." Similarly, Sir Oliver Lodge speaks of insight as being possible through faith. And what is it that the scientist finds, whether in moments of inspiration or through hours of weary toil ? What is the vision of the Truth as he sees it ? Spinoza said that a triangle, if only it had the power of speech, would say that the God is eminently triangular, and a circle would say that Divine Nature is eminently circular. What does the scientist say ? Judging from the utterances of the most thoughtful contemporary scientists one is gratified to discover that they join religion in holding up before humanity a transcendental ideal. They do not consider scientific research to be merely a useful adjunct to the army, the factory, or the hospital. Ptolemy, the Alexandrine astronomer, said that if but a moment he gazed up to the night's starry domain of heaven, he stood no longer on earth ; he touched the Creator, and his lively spirit drank immortality. Einstein writes : "It is enough for me to contemplate the mystery of conscious life perpetuating itself through all eternity—to reflect upon the marvellous structure of the Universe which we can dimly perceive, and to try humbly to comprehend even an infinitesimal part of the intelligence manifested in nature." Sir J. A. Thomson says : "If we enquire into the beginning of what used to be called Matter and Energy, what can we do but echo St. John's words : "In the beginning was Mind, and the Mind was with God ; and the Mind was God ; and without it there was not anything made." Science is on the right track ; already it has proved that space by itself and time by itself are mere shadows ; already it endeavours to get to the source of the pre-established harmony of the universe ; already it declares in no uncertain terms that the one Reality which gives meaning to existence is the belief that the Universe is ruled by Mind, whether the Mind of a Mathematician or of an Artist or of a Poet, or all of them. As Whitehead says, "Philosophy begins in wonder. And, at the end, when philosophic thought has done its best, the wonder remains. There have been added, however, some grasp of the immensity of things, some purification of emotion by understanding."

Is this tantamount to saying that the scientific vision is identical with religious vision ? In the last analysis art, music, literature, science, religion, all alike impress upon us the truth that man must erect himself above himself, that God hath made man upright, that evolution, ascent, aspiration, onward march, is man's destiny and privilege, yesterday, and today, and forever. It is not without much fear that I speak of religion. The delirious riot of religion engenders so much falsehood. Professional preachers produce so often the impression that religion is to be chiefly prized as an excuse for making others unhappy. It is confused so constantly with dogma and subtle speculative opinions. In our own country religion seems to stand for bigotry, fanaticism, intolerance, cant and formalism ; we have a god who abhors music, and a god whom music alone can please. Religion includes with us the script in which we write and the words which we utter. It may be said of our pious men, as a character in one of Strindberg's plays says to a sanctimonious nurse :

"You no sooner speak of God and love than your voice becomes hard and your eyes fill with hate." Little do they realise, those who grate on their scannell pipes of wretched straw their lean and flashy songs, what disservice they do. Love and charity are the two gifts of every true religion, love of earthly things for the sake of the absolute loveliness, love of fair conduct, love of fair principles, love of

absolute beauty ; charity towards all, yes, even towards those who injure you. All religions agree in telling us that God intended man to use and enjoy the world and its goods.

*Jivannaro bhadra shatani pashyati. Eli jiwantamanando naram varsha shatadappi* : Rejoice ; even as the morning stars sing together. Renunciation, sackcloth and ashes are not necessary. The Upanishada say : "Neither neglect your worldly welfare." Religion helps to realise the nature of the soul, of which the Gita says that it is not born, nor does it die, nor is it a thing that comes into being once, and, passing away, will never come into being again. It is unborn, ancient, sempiternal ; it is not slain with the slaying of the body. Religion teaches us to aspire to a certain level of moral excellence ; it points to a certain level of conduct below which we dread to fall. It sweetens to-day and fills our days with fragrance. All the quiet of thought and all the passion of dream unite to bring to us the conviction that we cannot stir a flower without troubling of a star. Both the measurable and mortal and the immeasurable and immortal parts of life are nourished by religion.

You, to whom these words are addressed, are in the springtime of life. You have the idealism of youth, its generous impulses, its freedom from suspicion, its capacity for service. You have the will to remould the world. You have frequently been advised, I believe, to "live labourious days." Disciplined life, strenuous life, arduous life—these, I believe, have often been held up as your ideal. The message I wish to leave behind is that of the Joyous Life.

Patriotism takes us out of the narrow groove of self ; art that nurses the unquenchable hope ; philosophy that makes one see all creatures in oneself and oneself in all creatures ; literature that enlarges our interests and extends our sympathies and removes all barriers of time and space and concerns itself with what has been and may be again ; music untwisting all the chaos that ties the hidden soul of harmony ; science that sets no limits to its achievements ; religion that brings the glory of all glories—are all the needful prologues of the drama in which men play a part—all add to man's stature and keep him erect and elevate him, and make him approximate nearer to the True, the Good, and the Beautiful.

It should not have been necessary for me to speak at such length on these twice-told themes to you who have for a few years stood upon equal ground, where there was distinction to be achieved by all who were capable, where you have been seekers after knowledge, part of a corporation formed, "for the spiritual advantage of members." But it is not possible in the modern age for even University men to dwell exclusively in the studious cloister's pale. The sound of rancour and strife disturbs the harmony of your life, even within the sheltered walls of your Colleges. But yet be thankful for the time thus spent. Who can estimate the value of the atmosphere, the aroma that clings round hallowed traditions, the pride of membership of a place where the giants of a bygone generation lived and moved, the benches on which they sat, the trees under which they rested, the playgrounds on which they displayed their skill and strength, the halls that echoed with their oratorical periods, the schools where they won their hard-earned academic laurels ? Here too you learn to carve out your own future in the light of the knowledge and wisdom you have acquired. What you greatly think you nobly dare. Be proud of your College and your University and grateful for that gracious influence which is forever a part of your character. It has made your life richer and fuller ; it has fired your imagination and vivified the faith that is in you. It expects that, as far as in you lies, you will be pure and clean, that you will use the light of learning to uplift and help those who need to be taken out of the darkness of ignorance. Ahead of you may be days that will call for the highest endeavours, the noblest services, the greatest sacrifices of which you may be capable. Be worthy of the future. Face it with courage, with zest, in a spirit of adventure. and when the time comes for you to leave the scene of your labours, may it be said of you, "Here Indian Honour keeps her chosen shrine !"

## The Andhra University Convocation

The following are extracts from the address delivered extempore by Mrs. Sarojini Naidu at the annual Convocation of the Andhra University held at Vizagapatam on the 1st. December 1938 :—

When my old friend most indiscreetly, I mean the Vice-Chancellor, asked me to deliver the Convocation Address on this occasion, I thought that he was stretching his friendship a little too far (laughter) because it is usual to have learned gentlemen who have earned and not borrowed their robes like me (laughter) to come prepared with long speeches well printed and nicely bound and stand up to read those time-honoured pages of advice to young men going out into the world. I not being in the technical sense of the word even educated can only speak as nature prompts me to the utter confusion of the poor journalists, who get nervous breakdown every time I speak. I propose to be unconventional to-day and not give good advice to young men or women. I propose to say a few words to those of you for whom to-day is a day both of liberation and of bondage—liberation from the eye of your masters, from your Pro-Chancellor or Vice-Chancellor, the principals of all the Colleges and every uncomfortable gentlemen with authority to take you to task on every possible and impossible occasion, and it is a day of bondage for you because it is the beginning of your responsibility.

My old friend, the great and famous poet, Yeats, called a book of his *Responsibilities*. I asked him why he had called his book of poems *Responsibilities*. Responsibilities seem to be so far removed from the poet's usual temperament and life. He said: "Do you not remember what Leonardo da Vinci said, 'In dreams begin our responsibility,' and you, who through all these student years have dreamed and seen the vision of the future—who to-day have been authorised, have received sanction to enter upon the threshold of your dreams, you dreamers, you have entered upon your responsibilities. For now you must bear testimony to the sincerity of the long period of dreaming and prove the worth of your youth, your abilities, your ambition, your dedication to the great issues involved."

I am naturally and sufficiently interested in Medical College. I have been a patient all my life and have had to consult doctors. I have for myself three or four doctors in my family, a husband, a son, a brother-in-law and if I will have, a grandson also possibly. I ask you, the medical men, the physicians, the surgeons, the healers and restorers of health, and hope of humanity, have you realised, as I am bound to realise after going down the length and breadth of this country, the wastage of human life for lack of organised medical help in those remote villages, where men with degrees and gowns do not like to go, but where death and disease are as common as in the largest cities? Have you realised the suffering of the little children with their diseases, eating into the vitals of their childhood and making them unfit for the service of the country? To you, therefore, belongs the great mission not only to redeem the sick bodies from pain, but also to prevent the wastage of life, happening in the villages of our country.

Those of you, who are taking your teaching degree, degree in education, bachelors in education, are going to be the sculptors of destiny. Are you going to take that malleable and pliable material of the mind and spirit and life of little children, create and mould it into the image of truth, of courage, of sacrifice, and of renunciation and achieve the freedom or just put into them those worn-out conventional moulds in which teachers, ill-paid and indifferent, have mechanically moulded the lives of little children, saying they will go out every year, they will join the unemployed, or they will become professors when the Vice-Chancellor creates some professorship or go into a Indian State, the last refuge of all the unemployed. No. You are going to take the minds of youth, of children, of men and women, to create images, living breathing images, out of them. You will teach them not merely things that all printed texts give, but the meaning of life, the purpose of life, for life must be freed from fear, for fear has been the foundation of all our bondage—fear of truth, fear of freedom, fear of reform, fear of progress, fear of what yesterday may say, because to-day we have bigger and bigger dreams than yesterday ever knew. Therefore, you will lead the sacred task of creating that image in them. No matter how dear yesterday may be, yesterday is yesterday in the museum of our memories. To-morrow is our destiny and the destiny of our children.

And you, who have taken your diploma in Science—only this morning I walked round the blocks where are the scientific exhibits. It made me very happy, it made me realise that at last we have understood that science is not a something to be kept in a glass case labelled as "Science." But Science is to be the living day-to-day dynamic creative gift of knowledge to life, for service to humanity. I saw with great delight to-day the various experiments that are going on in the Chemistry block. I saw the experiments going on in the Physical Science block. Coming down as you might call it from the intellectual horizon to the Technology

Department I saw the daily things of life being prepared, being refined, going from stage to stage of betterment acquired in your laboratories thereby giving broadcast for the better daily services of our people. Vitamins were being analysed. Everybody's need was being catered for.

And this University is only 12 years old—just passed the half-ticket class in railways—and yet because of its spirit of youth it has marked out for itself new moulds of educational progress not grown rheumatic with golden jubilees, is yet in able health, full of life, very energetic, very agile, very eager to go forward. And if Government which has sometimes been praised faintly, often been blamed vigorously in the Vice-Chancellor's speech, has not immediately conceded all those standard demands that you make upon it, I do not think it is a matter of great discouragement. Government have been such, even the Governments that I helped to make. What is the use of a Government unless you can abuse it? You go on making your demands, your demands will fulfill themselves, because the very intensity of a desire brings creative force to fulfill those desires. Your Natural Science College will be here before you know that you have started making the demand. Your Technology courses that you want will fulfill themselves. Money will come from all sources, though, of course, a man like your Pro-Chancellor is not born twice in one generation, and certainly not in the same province. Let us hope that his superb example will encourage every man though not so gifted in learning, in generosity, of neighbouring provinces. I will not call it acts of generosity on the part of any individual who gives gifts to seats of learning. I believe that it is no more than a life-long duty that humanity owes to seats of learning.

It is said that Universities are luxuries. It is not definitely said so but the feeling is like that I want very much to impress upon you and on all outside this pandal that seats of learning are the sanctuaries of our life. The seats of learning should be to us in this day of our struggle the very fountain source from which we draw inspiration, manifold and co-ordinated to the service of progress, whether intellectual, economic, political or spiritual. Therefore let no man among you decry that the University is imperfect. You have ideals. But for the ideals of a handful of men of the last generation, men who loved the soil of Andhradesa, men in whose bones and blood wore all the great memories of King Krishnadevaraya, but for all the poets whose songs are the springs of the culture of Andhradesa—this University will not be celebrating its twelfth anniversary.

When dreams are not mere idle day-dreaming, when dreams are in form with the creative faculty of faith and passion, then dreams can take shape, colour and sound. Men dream that the genius of the Andhra people should find its own particular and special expression. Each race, each country, has its own particular thing to offer, that makes the music and harmony of its national characteristics. Every country has one key-note.

You of the Andhra country have, as I can see, as I can apprise, from the contribution that the Andhra country made when the call came for sacrifice in the national cause, that great quality of devotion. The Maharashtra is a virile race. The Dravidadesa has intellectual agnosticism, intellectual doubt and analysis. Chaitanya of Bengal was full of mysticism, full of devotion; full of ecstasy was that laud of Ramakrishna on the banks of the Ganges. The genius of the Punjab is "long live my danda." They make the contribution of courage to the country. They are men who know how to die when the order comes to them to die.

You have something of the mystic quality of Bengal, no doubt, but with it you have also something more practical than my ancestral home possessed in its soil. You are a compromise between the Dravidadesa and the Vangadesa. So you have the faculty of dreaming and the faculty of doing. So the two faculties become synonymous in your case. Don't dream and say "My neighbouring province will do". It will undo what you dream. If you dream, and your dream is so true that it can not help fulfilling itself, your will will make this province a thing definitely beautiful.

The genius of India has been the genius that places the scholar above the insignia of royalty. Wars, generals, and battles will go with the tradition of bloodshed into the limbo of forgotten things. But men who shape the thought of the world, who take the knowledge of science to the ends of life; men who take the knowledge of healing and restoring to the suffering and bring those who sit in darkness into the light of learning and education; men who take the poverty of the people and by their knowledge enrich the soil of the Motherland bringing harvest

that goes from generation to generation—these are the men that the world remember. These are the men that I demand you shall become.

Addressing the lady graduates, Mrs. Sarojini Naidu said :—

To-day the women of India are united, not begging for education, not begging for concession or favours. To-day the responsibility of the woman is very great and grave indeed. They have returned to the path of consciousness from which they had gone. You read everywhere of the conferences women are holding. In Delhi on the 28th of December women representatives of every State, from the villages, from the richest to the poorest in the land, will gather. They do not gather as suppliants asking for favour, but they do come to ask for their rights. The other day I read of a speech made by the Princess Niloufar of Hyderabad presiding over a Branch Conference of women. Mark the resolution that the women of the so-called backward Hyderabad State passed. What did they want? Economic independence; the right to serve in every capacity within the State; that the industries of the country might be fostered and women might be the promoters, protectors and missionaries of that great gospel of Swadeshi.

No matter whatever conflict might be raging between communities, the women of India will stand united as peace-makers. Storms may rage and when they abate, the lighthouse stands shedding its light. This is the mission of womanhood, whether women take diplomas or learn from life. I charge you to be pioneers of that great ideal of national unity. Provincial jealousies are inevitable in the struggle for power and deep communal mistrust is inevitable. But it is your duty as peace-makers, preservers of life and civilisation, to so order your homes and the minds of your little children that these dreadful age-long feuds cease because you have kindled so great a flame that what is evil must die and what is good must live and your hands shall pour out the living waters of fellowship between community and community. I am one of those dreamers whose dreams come true in their own life-time. If your dream is sincere, that dream will realise itself before your eyes.

We read every day about the breaking up of civilisation. The nations to which we looked for inspirations have not only lost inspiration but humanity. We see in the twentieth century that terrible example of power being used for brutish purposes and for crushing weaker peoples. We see how the lust for power is immune to the cry of those who say 'we depended upon your honour and friendship and culture, but you have betrayed us.'

What is the lesson that you and I have to learn of this breakdown of civilisation in Europe? Are we going to tread the same path in India? Are the stronger communities going to crush the minorities? Are we to claim that because we are educated and twice born, we are the masters and lords of India's destiny? Is that going to be our programme? Our knowledge and inspiration should not be for destruction of the world but should be a gift of creation, redemption, salvation and protection. For that we must stand united. So long as we in India remain disunited, Andhradosa and this University will have no place in the bigger life of this world. Be true apostles of that great gospel that we do not live for ourselves. We cannot afford merely to be Indians. We cannot afford to have a narrow definition of Swadeshi. My definition of Swadeshi, of patriotism, of nationalism—all these words that are so glibly used by men and women, in season and out of season—have an unconventional meaning. My definition of Swadeshi is that I shall make on behalf of my people a contribution to the intellectual treasure, and of all knowledge that comes from the four quarters of the earth. In accordance with India's tradition knowledge shall be universal, not merely of a race with geographical boundaries or tongues, but a synthesis of human experience, knowledge procured after long centuries of human travail and toil. Whether my knowledge springs from the soil of this *Mathru Bhumi* or elsewhere, my knowledge becomes culture, culture becomes life, and life becomes service.

What is patriotism? What is that evil thing called patriotism? In the name of patriotism civilisation is buried. "My country must have power," "My country must have colonies," "My country must shift its frontiers. Therefore what matters it, should others die?" Is this patriotism? Patriotism in the phrase of Shakespeare is "the parious state" of a country. That kind of patriotism is not enough—what we want is that we shall make our country a unit of the great international issues of life. Therefore, we cannot be narrow-minded in our nationalism. Our patriotism shall be no more than the narrow channel through which we pass on to the ocean of international fellowship. Our nationalism shall be no more than the temporary phase of our

activities that tries to consolidate, that tries to co-ordinate, that tries to achieve the great liberation of a united people, not for the purpose of gloating over a national victory but in unity and pride saying that now we are fit and equal to take our part in the great international fellowship for the peace of the world. This is my message to you, young graduates, the message of reconstruction, of international fellowship and service to Humanity without discrimination of caste, colour, creed or kind. This is the destiny of youth, whether in the Andhradesa, in Soviet Russia, England, Scandinavia, under Mussolini or Hitler. Youth is youth and it can be served when it is content to serve the world.

## The Muslim University Convocation

The following are extracts from the address delivered by The Hon'ble Nawab Mirza Yar Jung Bahadur (Mir Samiullah Beg) at the annual Convocation of the Muslim University, Aligarh, held on the 3rd. December 1938 :—

The whole subject of the Educational system prevailing in India is as if it were in the melting pot, and of all the forces which are going to mould its future shape, the force of the question of the medium of instruction strikes me as one of the strongest ones. As time goes on, new aspects of this question present themselves which simply add to its importance; and lest my omission to mention them may be construed as minimizing their value, I thought it proper to give first position to this question of first importance in my address to-day. As you know, the most distinctive feature of the Osmania University with which I have been so closely associated is that instruction in every branch of knowledge—arts, law, science, medicine, mathematics etc.—is imparted through Urdu, English being a compulsory second language. All the same, this does not affect its determination to keep the standard of knowledge as high as may be found in any University of British India. The question of the medium of instruction is however no longer a question only for the Osmania University. It is an All India question now and has acquired the position of a pivot on which turns the whole programme of our national education in the future.

As you know, sooner or later India must have a Federation in one form or another consisting of autonomous units. If so, to transact the business of Federation and to carry its voice to millions of those whose votes will eventually be determining its policy from day to day, a language which may be common to all the units of Federation must be decided upon now. The language of Federation cannot go on changing from province to province. To unify so many provinces and states into a Federation, a common platform must be created and for such a platform, a common language is a necessary condition. For this purpose is it necessary to travel beyond India? Firstly it is not practical to make, within a reasonable distance of time, a language like English the lingua franca for a population about whom it is said that it will swell into forty one crores of souls by the census of 1941. Secondly it is a question of national prestige and honour. A nation can never rise to its full height without a national language. How long can it bear the humiliation of being looked down as a country which possesses no language that can bear the weight either of University Education or of transacting its own government business. How degenerating is the effect on the growth of national life by thinking and doing everything in the language of another country. Language is after all the vehicle of thoughts. The national thoughts and traditions of England are separated from those of India by a distance of five thousand miles. How can the English language keep alive those Indian thoughts and traditions which constitute our culture and which are part of our national heritage? Such an object can be served only by a language of our own people. I felt humiliated when once a Japanese on board ship who had no idea of the surroundings and circumstances under which we received our education, expressed his surprise to me on seeing that even amongst ourselves, we talked oftener in English than in our own mother tongue. A sensitive India will never remain satisfied with this humiliating position. Switzerland is divided into several cantons or provinces in each of which a different language is usually spoken according to its proximity to other countries such as France, Italy or Germany, yet it did not have to travel beyond its boundaries to find a common language

for its federal purposes. In Russia, there are about twenty-nine nationalities, but all have to learn a common Russian language. Thirdly, the question of medium of instruction is an economic problem. If the adoption of an Indian language as the medium of instruction can save the time and labour of even one year out of the period allotted for school and collegiate education in the life of a student, then imagine the total value of the additional earning of crores of people in one year on account of this saving of human energy and time. These are the days of competition. I believe one of the secrets of our success will be to economize all round in our time and energy either in the field of education through easier methods of imparting knowledge or in the field of industry through machines. Then mark the difference between the prices of books written in a language like Hindustani and of those written in English. All this means an enormous saving to the country and placing so many facilities in the way of those poor students whose education is handicapped for want of ability to purchase expensive books. Fourthly much of the Indian intellect which could flow towards authorship is at present lying dormant. To adopt an Indian language as the medium of instruction will be a great incentive to the intellectual class to write books which they cannot so easily do in a foreign language. The controversy about the medium of instruction is as old as 1830, and arose between Anglicists and Orientalists, soon after Lord Macaulay wrote his famous minute on the Educational policy of India and made English the chief medium of instruction. Trevelyan in his "Education in India" writes that as a result of this policy the demand for English books in those days rose so high that "upwards of 31,000 English books were sold by the School Book Society in the course of two years while the Education Committee did not dispose of Arabic and Sanskrit volumes enough in three years to pay the expense of keeping them for two months, to say nothing of printing expenses." Since then, much water has flowed under the bridges but I believe that the position of books written in vernaculars has not much improved. If Indian authors and thinkers attempt to write in English, in the majority of cases, the language is so poor that it is not readable. If they write in the vernacular, there is no demand for the medium of instruction of the intellectual class having been in English; they have not sufficient interest left for vernaculars. How long can this state of affairs be allowed to continue? I think that the sum total of the moral and economic forces working to-day behind the question of the adoption of a common Indian language for a federated India is too strong to be resisted now.

It being established that a language born in India alone deserves the position of a common language in India, there remains the question of selection. In this competition between Indian dialects, I think Hindustani has a strong case on its merits. Before I proceed further, I must make clear what I mean by the words 'Hindustani', 'Urdu' and 'Hindi' about which so much controversy is going on. As a result of a compact between Muslims and Hindus, there was gradually born in this country more than four centuries ago a language called Hindustani which drew most liberally upon all the languages then spoken or known in India—Sanskrit, Bhasa, Persian, Arabic etc. Both Delhi in the North and the Deccan in the South claim it as their child. In any case, it found a congenial climate at Delhi where every Indian community was represented in the King's Court and army and where it began growing by leaps and bounds. It came to be spoken largely in Northern India. The same language when written in Persian characters is called Urdu, and when written in Nagari characters, Hindi. It is quite natural that words of Persian and Arabic origin came to predominate in Urdu while those of Sanskrit and Bhasa predominated in Hindi. But the same verbs, pronouns, and many nouns remained as the common foundation. Thus Hindustani is a language spoken generally in the North where it appears sometimes in the garb of Urdu and sometimes in that of Hindi. You will thus see that the very cause of its birth was a desire to have a common language for India. Even to-day if we sit down to form a common language for a federated people, we cannot imagine a better solution than to evolve a language which is a mixture of all the languages spoken by those who form the units of Federation. This condition is fulfilled by Hindustani—a mixture of several Indian languages. It is called Urdu because in Persian Urdu means a camp where people of all nationalities can meet. Hindustani is not the language of any Islamic country. I have travelled from the northernmost corner of India and I found that I could find my way through in every part of my country with my knowledge of Hindustani. More than twenty two years ago, when I moved a resolution in the Senate of the Allahabad University to recognize the language of the United Pro-

vinces as one of the optional second languages in the University Education, the official bloc from the Director of Public Instruction down to the Inspector of Schools opposed it on the ground that my province had no mother-tongue, that there was such a great divergence in the different dialects spoken in different districts, that no one language could be designed as the language of the province. When I said in reply that the differences between the English of Wales and that of London would be no ground for Oxford & Cambridge Universities to hold that English was not the language of England, I found myself crying in the wilderness. To-day it is no longer a question of the U. P. Cabinet sitting to evolve a scheme for making Hindustani the chief medium of instruction in U. P. Schools, but the Hon'ble Mr. Rajagopalachariar, the Premier of Madras, is preaching that Hindustani—the admitted language of Northern India—would best serve the purposes of a common language even for the people of Southern India. Look at Wardha espousing the cause of the language of Delhi and Lucknow and members of the Bombay Legislative Council asking for permission to move resolutions in Hindustani. In this matter Mahatma Gandhi is justly entitled to our gratitude. However, it does not mean that we should necessarily have a Hindustani savouring of Persian and Arabic. I am thinking of a Hindustani formed by the force of circumstances existing in India today. Every language in this world is daily undergoing a process of change and evolution, however imperceptible it may be. A language is not born in a day. It is the net result of social and political conditions prevailing in a country which goes on changing. Just as the form and appearance of a grown-up man become for all practical purposes, different from what they were in his childhood, so does a language change its form with its growth. Old English is unintelligible to the present generation of Englishmen. Present-day Persian is different from the ancient form. Deccani Urdu of a hundred years ago is different from the present Urdu. Even Delhi Urdu is slightly different from its neighbouring Lucknow Urdu. The outward form of a spoken language will ever differ from society to society, and much more so from province to province. To express the idea of "coming", the etiquette and culture of one society may permit the use of 'tashrif' whereas another society may find it simpler to express the same idea with the word 'ana'. These considerations should not deter us as Indians from accepting Hindustani as a foundation on which to build a common language. It may be that the Hindustani spoken hundred years hence may gradually assume a garb fitting in closely with the then body politic of India. For these reasons, I believe that for the purposes of a common language in India, Hindustani has a stronger case on its merits than any other current Indian dialect.

If for the purposes of Federation, a common language for India is indispensable and the case of Hindustani is strong enough on merits as shown above, then it seems to me that as far as this University is concerned, it should immediately make Urdu its medium of instruction especially when it happens to be the mother tongue of this Province. Those who would wait till it grows richer are sadly mistaken and argue in a circle. It will remain poor as long as the Universities make no use of it in teaching all branches of knowledge. As shown above, a century has passed away without any appreciable advance of vernaculars because our Universities did not recognize them. On the other hand, the results of the experiment tried at Hyderabad have been very encouraging. Twenty years ago when Mr. N. A. Hydari, now The Rt. Hon'ble Sir Akber Hydari, attempted to make Urdu as the chief medium of instruction in the Osmania University, people were found who entertained doubts as to the feasibility of the scheme. Even Sir Ross Masood, the then Director of Public Instruction of Hyderabad State had his own doubts in the beginning, but had to change his views later on. The experience of the last 20 years has proved its success beyond the expectations of even those who started it. The Osmania University was born with an Urdu spoon in its mouth. It has been fed and nourished with this spoon till it has now reached the age of 20 years. This language agreed wonderfully well with its constitution and growth. To-day its degrees stand recognized by Oxford, Cambridge and London Universities. Members of the Medical Board of England personally tested the efficiency of the instruction in medicine imparted through Urdu and were so satisfied that they recommended its recognition. Dr. Cecil Wakely is one of the most eminent doctors and authors of England whose works in the science of medicine are, I am told, prescribed for the examination of University degrees in Medical Colleges of England. He remarked that it was a move in the right direction and full of great potentialities for the future. Other great Scientists and Educationists not only of Europe but of America have visited it and put the hall mark of their approbation on its success. If our professor of Zoology

Dr. B. K. Dass, D. Sc. (London) was invited by the President of the international Zoological Congress of the world held at Lisbon in 1935 and his research works were declared by them as of the "highest order"; Mr. H. R. Sherwani, our professor in History was invited by the International Congress of Historians held in 1938 and his researches in his line were equally treated as of the highest order. Dr. C. R. Reddy, the Vice Chanoellor of Andhra University when delivering his Osmania University Convocation Address remarked that "Osmania University bids fair to become in a much shorter time than perhaps people anticipate, one of the great centres of learning and research in our country." He proceeded to say that the "Osmania University had added a new note of impressive grandeur to our system of University Education in which not merely Hyderabad but the entire country could legitimately pride." Our graduates are free from that inferiority complex which follows learning everything in a foreign language. Having served long as a Dean of the Faculty of Law in this University and acted as an examiner of LLB. students both of the Osmania and Allahabad Universities, I possess sufficient knowledge as to the comparative merits of both, and can state with confidence that as far as the grasp of legal principles and the training of the legal mind is concerned, the former are in no way inferior to the latter. It should be borne in mind that the curriculum of both is almost the same, the only difference being that the former are saved from the mental strain caused by cramming a foreign language and possess the facility of expressing their ideas more easily in their mother tongue. The Sub-Committee appointed by the Agra University to advise its Executive Council on the point is, in my opinion, not right in saying that Hindustani cannot immediately be adopted as the medium of instruction in Law. The example of Osmania University disproves it. In this matter, I agree with Prof. A. P. Dube, head of the Law Department of the Allahabad University who, I believe, holds a contrary opinion. I understand the Government of the United Provinces has already got an authorized translation into Urdu of every Legislative enactment in force in that Province. The Osmania University has translated all law books prescribed for L. L. B. Examination into Urdu. A graduate in law of the Osmania University who has read his jurisprudence, law of torts or contract etc, through translations in Urdu may not probably show as much command over the legal phraseology of English language as a graduate-in-law of the Agra University, but I think that mentally the former is in no way inferior, if not superior, to the latter. This reminds me of the sarcastic remarks which an English paper once made on some gross grammatical mistakes in punctuation etc. which M. Clemenceau—the late ex-President of France—made in his English composition. If I can create the brains of M. Clemenceau in my Indian students, I do not mind even if they make mistakes grosser than those of which this French Statesman was said to be guilty. It is a question of balance of advantage only. We should look to real worth and merits. In the case of the Osmania University the staunch pessimists of yesterday are strong optimists of to-day, and I believe that if you adopt the same system of instruction, your strong pessimists of to-day will become staunch optimists of to-morrow. I should not be surprised if even the Senate of the Allahabad University which at one time ridiculed my resolution on the question of making Hindustani as one of the optional subjects may be forced by circumstances to make it a medium of instruction. It is only a question of time. Even as light follows the sun, so would the status and position of the mother tongue of a people follow a Government by the people who have full control over their educational policy. In this Province, the founders of M. A. O College at Aligarh were the first to conceive the idea of a people's University organized and run mainly by the people and it will be in the fitness of things if their successors should be the first to set the ball rolling by making Urdu as the medium of University Education.

A University has three main function to perform—to preserve knowledge, to add to preserved knowledge, and at last to use that accumulated store of knowledge for the advancement and making of men. The last is the end and the first two are means only. I will deal with the last, viz., the making of man which practically amounts to character building which is the crux of education. It is character which lowers man. It is character which raises man. To this subject, our Universities might well devote time and energy commensurate with its importance. I am afraid they concentrate their attention too much on examinations and the passess of students. I have been told that in America, there are Universities which do not hold degree examinations at all but merely certify the number of terms which a University student kept, with certain remarks as to his behaviour etc., leaving it

to his employer to judge for himself as to the merits of the student. This may be another extreme, but it shows what value some Universities attach to degree examinations. However the building of a man's character remains the main function of a University. In the interests of character building alone of mankind I wish that there could be a Federation of the world Universities collaborating and pooling together their experiences after every five years so much so that while French and German guns might be sending their reverberating sounds against each other over Rhineland, their Universities might be found putting their heads together under the shadow of those very guns, attempting to solve the problems of character and trying to teach the true value of their acts of bombardment in the scheme of human life. Character is a thing which can be moulded. The future of humanity is bound up with knowledge of Truth and what Truth can be of greater value than to know how to mould human character? When such knowledge is acquired and character moulded accordingly, it is then that rays of peace may begin creeping into human life, and wars may be avoided not by preparations for war, but by the dissemination of true knowledge as how to mould men. To Universities may then belong the credit of achieving what pacts and treaties between Sovereigns could not so far achieve. However, if the Universities of India alone federate with this common object, their combined efforts may give greater stimulus to the unification of India than the Federation of Provinces into a Federal Government. Character, character and character is the crying need of the day. Even Congress has begun showing signs of weakness of character. Our Schools and Colleges are really mints for character moulding. A Japanese once told me that when Japan wanted to prepare his country for war against America, students, before teaching started in Schools, were collected in a Hall and the master put the following question, 'Why are you being educated?' All the boys were expected to reply in chorus 'To fight against America'. That is how Japan moulded the character of its men to suit our immediate purpose. Is there anything wrong, if we, to suit our immediate purposes, collect our students in the Strachey Hall every day and ask them 'Why are you being educated?' and our Muslim boys were to reply in a chorus 'To live a truthful life, to serve our mother country India and to love humanity regardless of caste and creed. Apparently, Western countries believe to-day in Force, and to achieve their objects they are running a regular race in armament. In creating this mentality their education is responsible. Hatred is inseparable from Force. Wherever there is the use of Force, hatred rears up its head. Wherever there is hatred, the tendency to use Force comes in. Therefore the whole ideology of the West today is of Force and Hatred. A son of India has appeared on the scene and is preaching non-violence and love as the proper mentality for human beings to cultivate. He is applying this philosophy of man to practical politics and is trying to achieve the freedom of India through it. How far this experiment will succeed the future alone will prove. But one thing is certain, True love can kill hatred, but hatred cannot equally kill true love. Love is certainly stronger than hatred. And if there is Love all over humanity there remains no occasion for the use of Force. Anyhow this son of India is true to the ideals of Eastern philosophy. Universities can be the best custodians of national ideologies. The character of graduates is moulded according to the ideologies of their Universities. Anyhow, I want the slogan of the Muslim University to end with 'Love of Humanity' which can kill all hatred. I wish all the Indian Universities to give serious consideration to the question of character-building on national lines. I think that the best way of forming character would be to create a sort of spiritual mentality in our boys. In Islamic literature, there is much material to form character. Man is a creature who is formed by imitation and who moulds himself according to acts that he learns or sees of others. The whole of 'Sahih Al Bukhari' is full of thousands of traditions and sayings of our Prophet and incidents of his daily life which have a direct bearing on the formation of character. There is a wide field for selection. A complete code of morals can be made. The University is Muslim and Islamic culture can be made the basis of the character of Muslim students. Good points of character are common to all religions. On those good points, we can all be cemented together. Religion is a ready-made philosophy of man for all practical purposes. Apart from faith, religion is a greater living force which can be utilized for the good of humanity. In giving religions to humanity the East stands first. In the domain of religion, the West stands bowing before the East. Therefore in attempting to form character through religion, we are simply true to our own East. According to old Islamic practice the education of a Muslim boy commenced with teaching

religious books. The present system does not leave time enough for such a beginning. In the death of his old system of education may lie an explanation for the general weakness of character that we observe in many of our educated men. Anyhow your University may try to implement what was left incomplete in the early stages of education.

Again, it is life that makes character. A religious and spiritual life will greatly help the formation of character. If, in Cambridge University, attendance at Church service and the reading of a few verses from the Bible in the Dining Hall every day before taking lunch have been considered necessary for the formation of the character of its students, I do not see any reason why the saying of daily prayers or attendance at Friday sermons should not be enforced as strictly for Muslim student as attendance at regular classes. Of course, our Muslim Professors should be similarly tuned, otherwise they will never carry convictions to their pupils and the academic atmosphere will never be religious or spiritual. It should be a matter of University policy to which all should conform. Those who do not believe in it may be allowed to leave Muslim University and find some other congenial place. Such rules will, I believe, not only have the most salutary effect on the formation of the character of our students but also enhance the prestige and reputation of the University to which Muslims of the best class will be attracted. For daily and Friday sermons preachers of the right type will have to be employed. Sermons should be in a language which can be understood by the audience. Even prayers in Arabic without knowing their meaning will have no effect on the formation of character. From that point of view, our teachers should be broadminded enough. I happened to join a Christian College in the Intermediate Class. I had to attend sermons on the Bible for half an hour every day under College regulations. Rev. Mr. Mansel, the Principal of the College would take up some subject relating to general morals or rules of human conduct and carry his teachings to the very heart of his listeners. I must admit that some of his eloquent sermons left lasting impressions on my mind without shaking my belief in Islam. A liberal-minded man he dealt with the subject in a most liberal spirit. His object was to make men of his students and not to convert them. I believe every religion has got sufficient material to form character on some common basis. If the chief function of a University is to make men, then, devoting half an hour every day in the Muslim University for forming the character of its students through lectures and sermons is not much. I do not suggest that no facilities for religious education exist in the Muslim University. Perhaps we have only to tighten the arrangements that do exist. These lectures and sermons may include not only religious teaching, but may cover a wide field of knowledge. Suppose we want to develop a spirit of religious toleration amongst the students of the Muslim University. The whole history of great Muslim Rulers can be called to our aid. The Muslim conqueror of Palestine never touched sanctuaries of the Jews and hesitated even to say prayers on an open piece of ground which he considered was consecrated to another religion. Let us come nearer home. In Hyderabad State if there are five thousand mosques, there exist twenty four thousand temples scattered all over the Dominions in the midst of the most populated areas of the Dominions. Their juxtaposition speaks eloquently of the religious toleration of those who ruled over the Deccan in the past. If the Muslim ruler of Golconda Fort built a mosque on its top, he did not touch the temple close by, which exists up to the present day. If there are grants of land and cash made by the Muslim rulers for the support of Muslim religious institutions, similar grants of Jagirs and cash of the most liberal character were made by the same rulers to temples and Hindu institutions within the Dominions. The current registers of the Revenue and the Accountant General's Offices bear testimony to the same. The teachings of Islam would never permit the Jews of a country to be turned out bag and baggage of their homes. Therefore to teach religious toleration to your Muslim students, you have not to go to West for literature or seek the aid of any other religion. The history of India has yet to be written on proper lines. All the resources for forming character are lying before you. You have only to utilize them. There are other ways of encouraging toleration. Friendships formed in student life are linked with the strongest ties. I know the Muslim University admits non-muslim students freely and for the sake of bringing Hindu and Muslim students still closer, it should make it a point to reserve a certain percentage of seats specially for Hindu students. Oxford and Cambridge reserve a certain number for students coming from India and the Colonies. Interchange of Professors between Universities is easy. I wonder whether interchange of a few students is

possible. A Federation of Indian Universities may make it possible. The special efforts will be repaid in the long run through the formation of character on national lines.

Discipline is another phase of character. It affects the whole of our national life. You will seldom find our people forming a queue so readily as English people would do on occasions of large gatherings. Discipline forms a trait of their national character. Are our Indian Universities giving sufficient time and attention to this trait of character among students? The opinion of the Enquiry Committee which reported as to conditions prevailing in the Lucknow University is not very encouraging. The proceedings of Students' Conference at Bombay & Karachi show the direction in which the wind is blowing. Much depends upon those who are in charge of discipline. I was present in the Muslim Educational Conference held at Aligarh in 1894 when Sir Syed Ahmad was alive. The doors of the Strachey Hall opened after an interval. The students tried to rush in pell mell. Sir Syed came down from the dais, stood up before the disorderly crowd of boys and began weeping before them. The boys were stunned. He said he was weeping because he had no reply to give to their parents who had sent their sons to M.A.O. College to learn discipline. This heart to heart talk was sufficient to turn them into most orderly entrants to the Hall. There may be no such disciplinarian in Aligarh today who could weep over an act of indiscipline on the part of his pupils, but still he can do much by his own acts and sense of discipline. The doors of the Muslim University should be shut against those who are guilty of indiscipline. A few students well disciplined and with character will bring more credit to University than hundreds without discipline and character. As the premier of the U. P. remarked on one occasion, "strikes were unknown in our school days. They are characteristic of labouring classes and not of those who have come for learning and knowledge." I hope our students will ever remain above this and show their Islamic character by strict obedience to rules of discipline. The very conception of Islam is submission to lawful authority. If any seeds of indiscipline are found in Muslim University, I have no doubt that the authorities will weed them out, before they spread their contagion. Again the mania for taking active part in politics should never be allowed to creep into your University. As an educationist once remarked students are like unhatched chickens in an egg. At their age their judgments are generally influenced by emotions and passions and cannot be called quite free. Students are diverted from their real business which is to acquire knowledge. They should not arrogate to themselves the position of Judges and lay down rules for the guidance of elders in political matters. It is no use for the Congress President to bewail the conduct of the students of the Rajshahi College when he himself on another occasion did not object to students taking part in active politics. They may have a political subject for debate in the Union for the sake of education as it is done at Cambridge or Oxford. But the spirit should begin with debate and end with debate. It will not be to the interest of University also to create parties based on political views within its precincts. Its atmosphere should remain pure and above politics. I would suggest that every student who joins the Muslim University should be asked to sign a pledge that he will submit to rules of discipline and will not take active part in politics. A breach of these rules should lead to expulsion. There might be a character roll for every student which would contain a correct record of all the activities in which he takes part and throws light on his University career. His employer may sometimes attach more importance to this character roll than to his University degree. This will have a salutary effect upon the general conduct of your students also. Let them carry a polish of Islamic culture with them, but their characters may be so modelled as to make them religious without bigotry and patriots without extremism to serve their community as a part of the whole, without being communal or harbouring hatred to other communities.

Now, a few words to those Graduate friends who will soon be parting company with their Alma Mater. Having myself gone through a similar Convocation function of my own Alma Mater—the Allahabad University—I can easily step into your shoes and imagine the character of your mingled feelings of to-day—joy at your success in examination, sorrow for leaving old associations and friends, and fear of the struggle of life lying ahead. As to the future, you must be prepared to fight the battle of life with all the force of that character which you have acquired here. You may not be treading a smooth path strewn

with roses, but may meet with many pitfalls, and ups and downs on your way to success. The world will judge you by those qualities of character which were not so much required in student life. Just as the success of a physician in life depends not so much upon his knowledge of the properties of medicines taught to him in his class room as upon his capacity to use them correctly in the cases of patients who approach him for treatment, so your success in life depends not so much upon the class or degree shown in the parchment handed over to you today as upon your possession of those qualities which go to make a practical man. In the course of the struggle lying ahead, the surroundings under which you were brought up at home, the education which you received in your school and the part which this University played in moulding your character will all be on trial. You will be tested not so much by that you have been storing in your brain for examination purposes but by what you assimilated in your character from the education you received so far. However there is one rule of conduct which can carry you safely through, and will throw much credit on your home, on your school as well as on your Alma Mater. It is this. Make 'Truth' your guiding principle. I use the word 'Truth' in the broadest sense of the term. By 'Truth' I mean that living force, that attribute of God which manifests itself in laws pervading this Universe whether they relate to matter or soul. Conform your character to those God-made eternal laws; and you will be on a safe road to success. The laws of God can never err, and to act on them will never lead you astray. Again, as you know, God has given to man a power called 'Conscience' which always remains pointing to Truth like a Mariner's Compass that never fails to point the true direction on a voyage even in the darkest hour of the night on a most tumultuous ocean. The knowledge and learning which this University has already given you implemented by this voice of God will ever be ready to guide you in finding the line of Truth on every occasion when you have to decide as to the course of conduct to be followed. If you want to be true to your material body, follow the laws which govern matter. For this, the sciences which you learnt in this University will help you. If you want to be true to your spiritual inner self, follow Universal laws that relate to the rise and fall of soul or spirit. For this, your constant study of your inner self in the light of your own conscience and religion will help you. The height of your rise as a man in this life will be in proportion to the strength with which you grasp Truth and make it your guiding rule of conduct. Your body may die, but its effect on your real self will survive. So far as we can see, there is a never-ending chain of causes and effect in this Universe. The present is the effect of the past and the future will be the effect of the present. These are eternal laws. With truthfulness in your hand, you can steer clear of Scylla and Charybdis to that shore of everlasting peace and happiness which every soul would like to have after its release from the prison of the body. Live a truthful life and even death will be welcome to you. With the help of Truth, you may solve the very problem of life.

My next advice to you is to live in a spirit of service. Akbar—the great poet of Allahabad—simply embodied a Truth in beautiful verse, when he said that the greatest ambition of the present generation seemed to be to pass the B. A., examination, enter into service, retire on pension and then die. This should not be your only ambition. Look at everything with a spiritual mentality. When you join a service or profession, specialize yourself in some branch of it with the object of leaving it richer and better than you found it. This is a debt which you owe to humanity. Specialization will be a golden rule for your success in life also. Start your new career in a spirit of service which you may go on strengthening. To sharpen this spirit join if possible some humanitarian association or organization as a hobby, so that when you retire, that hobby and spirit may continue to give sufficient nourishment to your soul up to the last moment. Live to serve others, and die serving. With the service of others, you were so benefitted as to reach your present stature. Let others be now benefitted by your service. India needs service from her sons so badly today. Will you not be true to your own mother country? Behind this spirit of service there is an immense force of God which will keep you happy both in days of adversity and of prosperity. The impelling force behind your acts should be a desire to serve other human beings who are really rays emanating from her sons so badly today. Will you not be true to your own mother country? Behind this spirit of service there is an immense force of God which will keep you happy both in days of adversity and of prosperity. The impelling force behind your

acta should be a desire to serve other human beings who are really rays emanating from the same sun to which you belong. Remember, it is a question of angle of vision only. You can support your own family and say that you are doing it in a spirit of service. Spirit you are, and a spiritual life you should live.

Again, do not think that the days of student life have come to an end today. In fact they have begun today on a wider scale. Mr. DeGruyther, my Law Professor at the Canning College, used to say that the difference between an Indian and English lawyer was that after passing the Bar Examination the former thought that the days of study were over, whereas the latter acted as if they were only beginning.

Again, your vision of this life should ever be that of an optimist. In everything, you see signs of design and scheme. It is impossible that there should be no design or scheme underlying this panorama of human life. The very nature of our conception of God leads us to the conclusion that whatever be the scheme, it will be for the good of humanity. All round we see good coming out of evil. Therefore difficult though the problem of minority and majority may be, yet India must certainly be progressing towards a goal for the good of all. The minority and the majority will eventually have to learn to live together. The sight of Hindus, Muslims, Christians and Parsis living so amicably together for centuries in the past is unique in itself on this globe. Today, they fight on some trivial point. Tomorrow they begin living as close neighbours with only a wall intervening between their houses. My best friend was a Hindu, Babu Sheo Sahai, to whom I owe so much in my life. Do not be led away by spasmodic eruptions which I treat as signs not of disruption but of a process of readjustment through which every country which is in a stage of transition must pass. Maintain a correct perspective of things. Your Syed or Pathan should never look upon Arabia or Afghanistan as his home. Your forefathers decided to make India their home and you need not be too sentimental on this point now. Such settled facts cannot be unsettled. Love Indian soil; love all those who live on this soil irrespective of caste or creed; respect every culture and religion that go side by side with your own on this beautiful land of yours. A rainbow acquires its beauty by the masterly mingling of its colours. Yours is a country of rainbow cultures and creeds. Our different cultures, if properly mixed, may add to the beauty of the whole. This will be made possible if the real position and value of man's life be found out and taught by our Universities. Therefore remain cheerful and optimistic up to the last moment. I do not think that the solution of the communal problem lies in belt theory. If they could live together for centuries in the past, the chances are, they could do so for centuries in future. The solution lies in your knowledge of true value of things, and that knowledge you must have sooner or later. If your ideas of values of things remain wrong, where is the guarantee that these Muslim and Hindu belts will not begin fighting against each other in future with greater bitterness. Germany wants to form a German belt in Europe to make it strong enough to get colonies. We have gone too far in our distribution of population to retrace our steps. The belt theory is not a proper solution from the point of view of humanity. Be pleased with this life. Remain optimistic and cheerful. Everything is leading to the good of humanity.

One word more and I have done. "Remain truthful to your Alma Mater." It has given its best to you. It is now your turn to give your best to it. Farewell, my friends, I wish you a happy and successful career in this life. May God help you.

## The Rangoon University Convocation

The following is the text of the address delivered by the Hon'ble *Sir Mya Bu, Kt., Bar-at-law, Vice-Chancellor, University of Rangoon* at the Annual Convocation of the Rangoon University held on Thursday, the 3th. December 1938.

One of the main events of the year is the proposal to amend the Rangoon University Act. Two and half years ago Government set up a Committee to enquire into the working of the Act and to ascertain what amendments, if any, were necessary or desirable. The recommendations of that Committee, and the views of interested bodies on those recommendations, were examined by Government, and an amending Bill was drafted. The Bill was introduced in the House of Representatives during the last session, but it is yet to be seen whether it will be placed on

the statute book in its present form. The University authorities took all possible steps to place their views before the House, and I trust that they will be duly weighed and considered. I hope that those who are charged with the responsibility of shaping and moulding the future of this University, will bear uppermost in their minds that the ultimate purpose of a modern University is that it should be a centre for the cultivation and advancement of knowledge, as also the training ground for the formation of character in the youth of the Country. As a public institution the University has no right to ignore, but welcomes public criticism, and will do all it can to give effect to the same so long as it is constructive in nature and intended to preserve the efficiency of work and to maintain a high academic standard.

The desire for an investigation into the teaching conducted in the University and its Colleges, with a view to making readjustments as the changing times and circumstances may require, has not only been felt by those outside the University, but also by its teachers. The academic body believes that such an investigation may most profitably be conducted by persons, who, by reason of their academic qualifications and by experience of University education, are best fitted for the work. The Senate has from time to time since 1933 petitioned to the Chancellor that a Commission of experts be appointed for this purpose. When news was received in this country of the appointment, by the Secretary of State for the Colonies, of an Expert Commission to enquire into the possibilities for higher education in Malay, both the Council and Senate urged the Chancellor to take advantage of the opportunity to invite the Commission to Rangoon to conduct an investigation here. The project however had to be abandoned when it was learnt that, even if agreement could be obtained for the Commission to visit Burma, it would be able to devote only a brief period to the Rangoon University.

In the last Convocation Address, His Excellency referred to the gap that existed between the graduate and the cultivator and advised University students to guide and assist villagers in making the best use of all the means which are now available for the improvement of their comfort and standard of living. An important step has been taken in that direction by the revival, in an improved form, of the Agricultural College at Mandalay and its recognition as a Constituent College of the University. Degree Courses in Agriculture were started on the 16th June 1938 and we look forward to the Convocation in 1940 when the first group of graduates in Agriculture, young men specifically trained for and devoted to the purpose mentioned by His Excellency, will receive their degrees.

While University education is primarily intended for those within her walls, yet one of the University's important functions is to disseminate knowledge in all possible ways. Members of the staff in the past have from time to time delivered lectures of and short courses to the public. The Standing Committee of the Senate has now appointed a University Committee for Extra Mural Teaching and under the auspices of this Committee a very successful course of lecture was given during the monsoon term. Other courses are in contemplation and will be given in the near future.

One of the questions that is attracting much attention nowadays is the question of unemployment, especially among the educated classes. While this problem has not yet attained the serious proportions it has reached in many other countries, it is still sufficiently grave in Burma, and is liable to become more acute as time goes on. Exports are agreed that this problem is primarily an economic one and that the only satisfactory solution lies in a reorganization of the economic and social pattern of the country and its people. This is a process which cannot successfully be completed in one generation; and meanwhile the University must continue to turn out increasing numbers of graduates while we cannot hope for a corresponding increase in the number of vacant posts to which they may seek admission.

Statistics reveal to us that nearly sixty per cent of the students who come up to the University fail to get beyond the intermediate stage. It is evident that many of those students would have pursued quite successful life careers had they been diverted, at the pre-University stage, to vocations suited to their individual temperament or ability. To effect this a reorganization of the Secondary Education system is necessary, and it is gratifying to note that steps to that end are being taken by the departments concerned.

In certain European countries a different method has been adopted to solve the problem, by introducing a *numerus clausus* whereby the number of admissions to the Universities is restricted. Such a measure may serve only as a temporary

remedy, but no institution of higher learning can justify its adoption as a general policy. Especially in this country where we look forward to the development and proper working of democratic institutions I trust it will never be necessary to withhold higher education from any person who is qualified to benefit by it. This is not to say, however, that the difficulty will be lessened by the award of University degrees to all who may appear and be successful at University Examinations, irrespective of whether they have undergone regular courses of instruction or not. When graduates who have had the benefit of systematic training not only in selected branches of knowledge, but what is equally important, in the arts of good citizenship, are finding the problem of suitable employment sufficiently grave, to others without similar equipment, it must be well nigh insurmountable.

The contribution that the University can make towards the solution of this problem is by providing the right type of education and by helping the employers to recruit the right kind of persons. It can get into contact with prospective employers, to ascertain from them their requirements with respect to the number of posts available under them for University trained men and women, and to the kind of training most suited to those posts. This information the University can place before its students; and such as may select definite careers can be advised and directed in their academic courses with a specific aim in view. To achieve this object the University hopes to establish in the near future an Employment Board. A scheme has been prepared for the constitution of this Board and I trust that the necessary funds to bring it into being will be found. In this connection I desire to thank the Burma Chamber of Commerce for their generous offer of Rs. 2,500 per annum towards the expenses of this Board when formed. It is a generally recognised fact that a large majority of students join the University with no definite career in view, but with a vague hope that after they have obtained their degrees they would secure an appointment in one of the Government Services. The Employment Board will be able to present other possible careers for the consideration of newly joined students and to help them to direct their studies towards a purposive end. While this Board will fill a much needed want, we must not expect it to be a complete solution for the unemployment problem. The true solution must lie in a change of outlook in those seeking higher education. Young men and women undergoing training usually look on the University as a means of obtaining a degree for the purpose of securing a salaried post. They must realise that the true object and ideal of a University education is intellectual culture in the highest and widest sense. Following this ideal does not necessarily mean that a student becomes unfitted to take active part in the affairs of life; for this ideal, truly conceived, seldom fails to be of use in securing material advantages. On this point I may quote the words of Cardinal Newman who says: "The man who has learned to think and to reason and to compare and to discriminate and to analyse, who has refined his taste, and formed his judgment and sharpened his mental vision will not indeed at once become a lawyer, a statesman, a physician, an engineer, or a man of business, but he will be placed in that state of intellect in which he can take up any of these services and callings with an ease, a grace, a versatility and a success to which another is a stranger. In this sense then mental culture is emphatically useful."

It only remains for me to exhort the candidates "to conduct themselves suitably unto the position to which by the degrees conferred on them, they have attained." Graduates of the University of Rangoon, I congratulate you on the success you have achieved, and convey to you the best wishes of the University for your success in life. During the course of the ceremony certain questions have been put to you, and I am confident that your responses have come, not only from your lips but also from your hearts. Let me, once more, invite your attention to the obligations you have undertaken and the implications contained therein. In promising to conduct yourselves in your daily life and conversation as become members of this University, you have taken a pledge of a fiduciary nature for the knowledge that you have acquired in the University can achieve nothing unless you hold it in trust and use it in proper and wise manner and the skill you have attained will be of no value in society, unless you make use of it in your daily life as a trustee for the common good. In pledging yourself to support and promote the cause of morality and sound learning you are reminded of the words "With Truth and Loyalty" which form the motto of our University. The undertaking to uphold and advance social order and the well-being of your fellow men implies that so far as you are able, you will use your knowledge and skill in harmonizing human relations and bring about a state of mutual helpfulness. You are now leaving the sheltered orbit of the University to

sail on the troubled waters of life. I am certain that no more among you has any illusions about the grim realities that you will now be called upon to face. Obstacles will lie in your path but if you look on them as challenges to your skill you may not only triumph over them but will also achieve a self-confidence and self-control which will enable you to face future difficulties. When you are assailed by doubt as to the proper course of action or conduct, remind yourself of the obligations you have entered upon to-day for the precepts implied in them will ever guide you aright.

And finally, in addition to the fact that you hold your skill and knowledge in trust for the good of mankind, you are also stewards of the honour and reputation of the University. As members of its alumni you are now entitled to take a share in guiding its future development and progress; and if the degree with which you have been invested to-day has any value for you I exhort you to guard, most jealously, the fair name of the institution which has conferred it on you.

## The Lucknow University Convocation

The following address was delivered on the 10th. December 1938 by the Hon'ble *Pandit Govind Ballabh Pant* at the Convocation of the Lucknow University at the Sixteenth Annual Conference of the University at Lucknow :—

Education is co-extensive with human life and interests. There are several problems which are peculiar to our Universities. Controversies regarding Federal or Residential Universities, rivalries between arts and science, the competing claims of modern and classical languages, the defects of our educational system with its intensely literary and abstract character and the need for giving it a vocational bias and introducing mechanical commercial and technical subjects to a substantial extent in the University curriculum have claimed public attention and been stressed by their protagonists from time to time. I have no desire to deal with these matters in detail. In the midst, however, of diversity and variety—whatever be the form, the method or the content of education—there is a fundamental uniformity. The entire fabric of Universities, irrespective of any apparent marks of difference of conflicting views and pursuits must be animated by a common purpose, a universal soul and reared in and dominated by high and noble ideals.

At a time like the present, when nations are arming themselves at a furious pace and a world war may be upon us at any moment we should remind ourselves constantly of the eternal verities which form the essential feature and the real hallmark of University life. The ideals of a University have been defined and preached in no uncertain terms by writers of repute and men of letters and culture, and yet the world to-day seems to have sadly deviated from them, with the result that it is faced with a serious crisis which threatens the very existence of civilization. The doctrines which men of light and learning have held dear, the forces making for universal progress and happiness are being thrown into the melting pot. The prospect for humanity looks gloomy and is giving cause for much concern and anxiety to thoughtful people. Recent events in the history of the world indicate the bankruptcy of the dominant powers. Abyssinia, China, Spain and Czechoslovakia bear a painful testimony to the degradation which has set in. There is moral anarchy in international affairs and the rule of the big stick and physical might has become almost universal. All that man achieved after centuries of travail and tribulation seem to be crumbling into dust and the forces of violence and barbarism seem to be raising their head. The cherished heritage of centuries of human achievement, courage and sacrifice is seriously menaced. The atrocities perpetrated by Germany on the Jews are simply revolting and inhuman and eclipse even the barbarities of the iron and mediaeval ages. Italy is, to some extent, following Germany's example in this respect. All this derangement of moral forces is not a sudden and unexpected phenomenon. The germs of the disease, which has reached the culminating point in these shocking barbarities, lie deeper. The world has been in a state of ceaseless disequilibrium for several years. Panic, fear, suspicion, mistrust, consuming greed, vain arrogance and mutual animosities have been predominant, and the forces of reason, culture and humanity have been receiving a serious set-back. The hallowed names of democracy, freedom and liberty have been used as a cloak for personal, racial or national aggrandisement.

What is true of the political field is equally true of the economic. There was dislocation of economic forces during the war, followed by a certain amount of rehabilitation, which however proved unstable. The economic system has been crippled and seems to be completely out of gear since. The world seemed to be forging ahead towards new levels of material prosperity when the depression set in and the entire structure collapsed. As in the political so in the economic sphere fanaticism and stupid superstition to the exclusion of reason brought about a lamentable catastrophe. Conflicts due to unreason, cowardice and greed were visible everywhere. Instead of economic stabilisation, we had a series of economic crisis in quick succession, accompanied by currency warfare, restrictions on production, prohibition or strict regulation of imports, economic isolation and intense economic conflicts and antagonism to the detriment of the entire human race. It is most amazing and depressing that all this should have happened when nature and providence were prolific in their bounty and munificence, and when the world had shrunk, distances had been annihilated and men and women, old and young, in different quarters of the globe had been brought into close and living contact with one another through telephone, wireless, aeroplane, radio and other similar blessing of science. Besides, there was no real justification for this conflict and exclusive isolation.

While until the last war the sources of man and the gifts of nature were limited, there has been a remarkable progress in this direction in recent years. Paradoxical though it may seem, the slump and the consequential impoverishment were due to the existence of plenty in most countries. Since the war, the output of commodities has gone up considerably. The world economic surveys of the League of Nations clearly show that there has been a considerable increase in commodity out-put and what is still more important there is an unlimited capacity in nature to turn out in an almost unbounded measure whatever man needs.

While filled with an ardent desire to serve those near about you, you should not forget that, with the modern facilities of communication and transport, with the inter-dependence of nations any event of importance occurring in any country has its reaction and repercussions in the other happening elsewhere. You cannot therefore afford to be indifferent to what is happening elsewhere. You will have to shoulder the burden of the world. If forces of reaction gain ascendancy in any part of the world your country cannot remain unaffected thereby. You should regard yourselves as citizens of the world and everything tending to circumscribe the field of service should be repugnant to you. Universities are meant to equip you for the highest and the noblest achievements in the widest sphere. You should not let your manhood be dwarfed and eclipsed by communal considerations. Communalism is a negation of culture and incompatible with a liberal faith. The communal virus has crept even into our educational institutions in some places. This is most deplorable. At least in the pure intellectual atmosphere of the Universities your thoughts and dreams and ambitions should transcend the narrow communal orbit.

The University is a place of probation for you. You have ample opportunity for discipline and training. A balanced mind endowed with the faculty of reasoning and independent judgment is the key to intellectual happiness and moral equipoise. An educated man must be able instinctively to perceive and do the right thing.

Social or economic arrangements which cannot bear the scrutiny of the canons of human dignity should not be acceptable to him, and anything that bears harshly or unfairly on any section of the community should not be countenanced by him. Custom and tradition should not be a stumbling block to him but merely a stepping-stone.

A considerable section of our population is still labouring under various social and civil disabilities. Sometimes they are looked upon as less than human and denied the rights and privileges to which every member of the public has an inherent right and claim. Culture recognizes the dignity of man and regards all men as equal in the sight of God. A cultured person should not content until he sees social injustice completely remedied.

University education has come in for a lot of criticism. Nobody can deny that there are many defects in it and ample room for improvement. I have myself been conscious of several deficiencies, some of which should in my opinion be regarded as serious, but I would strongly deprecate the imposition of any artificial restraints with a view to restricting the growing tide of University education. We should recast the

system, but I cannot persuade myself to believe that knowledge is dangerous or that any man is made the worse because of the education he has received. Some have gone to the length of even recommending recruitment to the public services at the undergraduate stage, so that students may not flock to the Universities. I may also add that I have no particular prejudice against Universities being maintained by the State. In so far as we are unable to assist the Universities it is because there are other competing claims on us and there are several things which must claim our attention first. But I would set no limit to the assistance which a University may receive from the public exchequer. Instances of other countries do not quite fit in with our own. If the State can afford this I should hold that it is the right of every young man to receive all facilities for intellectual equipment and advancement subject to his making such monetary contribution to it as his circumstances may allow.

Some of this confusion and this apathy towards higher education is due to the unemployment prevailing among the educated young men. Lest I should be misunderstood I must unreservedly admit that it is the duty of the State to provide fruitful channels of activity for all citizens and especially for the educated youth. But no community can live on and be fed by clerical jobs. In fact, I strongly hold that the attitude towards education as a mere passport to public services is highly undesirable. It circumscribes and narrows one's horizon and serves as a damper on one's talents and hampers one's spiritual growth. It not unoften results in the sacrifice of one's genius for the sake of a career. I feel that a considerable part of this unemployment is due to deeper causes also. The education which was introduced in our country about a hundred years ago at the instance of Lord Macaulay was not based on any inspiring ideal. It was utterly lacking in a national outlook. The idea of public service was entirely absent. The system was introduced primarily with a view to producing suitable persons for holding subordinate and clerical posts under British administrators. Those who received education in English schools and colleges were for the most part isolated from the people of the country and the masses in the villages and town. They lived and had their being in a different society and while it would not be correct to say that they lived as parasites their roots were not embedded in the open fields. Their general attitude and approach towards the vast mass of the people was as a rule undemocratic, personal and some what arrogant.

We should remodel our system of education. Simplicity and frugality should be the essential characteristic of our oriental life, especially in the present stage. Education should aim at producing men of character and enlightenment devoted to the service of the people. We should aim at producing missionaries and pioneers who will find joy in the service of others. The lot of the villager is pitiable. On the whole the upper and the middle classes have thriven at his cost, while to him life has meant unrelieved toil and drudgery from day to day throughout the year. The educated owe a duty to him and it must be their endeavour to lift him from his misery, to raise his stature and to enrich his life and bring the blessings of science, arts and medicine within his easy reach.

Government has appointed several committees to examine the system of education. If our Universities are to play their part properly they have to adapt themselves to the environments in which they are placed. A University is a temple of learning and the teachers should be able by their example and precept to inspire those sitting at their feet. In such a sanctuary there can be no room for intrigue, jealousy or factions. To the genuine teacher, the type of man whom we want at our universities, teaching is not a profession but the fulfilment of a mission in which he finds his life.

As I have already said the Government has appointed committees to examine the present system of education in all stages and to suggest such changes as they may consider necessary. I need not anticipate the results of their investigation and deliberations but I look to our Education Reorganization Committee for valuable advice. I hope that they will fully examine the scheme of basic education, which so far as I am concerned has impressed me greatly. I was delighted to hear that one of the greatest educationists of modern times had declared that the Zakir Husain report was a remarkable document. It serves to link up the various subjects of the school curriculum with the natural environments of the scholar. This principle of correlation is the essence of the scheme of basic education. I believe that the scheme is fundamentally sound and trust that the Committee will show us how to adopt it to our circumstances. With a view to evolving the best method of such instruction

we have started new training colleges at Allahabad and Benares, and I hope that the critics and sceptics will at least have the patience to watch the experiment with sympathetic interest. I am sure that if it is dispassionately examined it will not be easy to spurn superciliously the reasoned scheme which is adumbrated therein.

It gives me great pleasure to offer my felicitations to all those on whom degrees have just been conferred. I sincerely trust that whatever be your avocation in life and whatever career you choose to adopt you will not forget, in the discharge of the duties and responsibilities which may be called upon you to perform, that you are educated men and have been members of a distinguished University. You should never fall short of the ideals for which the University stands.

This is the time when we are shaking free from our shackles and trying to emerge into the fulness of national life. It will be your privilege to take part in this struggle for liberty and to help to usher into the society of nations that independent India which will be the strongest guarantee of the rights and liberties of other nations. But you have to perform a still higher task. You will have to administer the affairs of this free India, so that every citizen will find the fulfilment and the fruition of his life. You will have to fight poverty and disease, inertia and superstition, unjust exploitation of man by man, superficial doctrines and debased social practices. You must always cast your weight on the right side, whether in political or other sphere.

Great are your responsibilities, but it is a privilege to live and to work in times like these when humanity is in travail and a new world is being born, a world in which each shall work for all and no one shall be denied the opportunity to unfold to the gifts of the mind and spirit which nature has endowed him with. India expects great things from you. She expects that you will always do your best and will be in your best form in whatever you do. I hope that you will not belie her expectations and will rise nobly to the occasion without any thought of self whenever your services are in demand. I conclude with the words of our national poet :—

“Consecration of our life waits to be received from Nature's own hand and it should accompany our training of heart, mind and imagination, a training which is not only for the production of timber of a high market value, if mind could be compared to a tree, but for exhibiting the wealth of its flowers which contributes to the joy of creation, often without our noticing it.”—“Vande Mataram.”

## The Nagpur University Convocation

The following is the text of the address delivered by Mr. C. R. Reddy, Vice-Chancellor, Andhra University at the seventeenth Convocation of the Nagpur University held on the 10th. December 1938 :—

On this occasion, under your Act, I have to address more particularly the Graduates who are just going out into the world. I join your Chancellor and Vice-Chancellor in extending my hearty congratulations to the young men and women who have obtained their degrees to-day. I trust that their future careers will be just as successful. Of course, the world is not a College. There things are not clearly marked, demarcated, no text books are prescribed, and no grace marks given though luck is a fair but fickle substitute for academic grace. However, if your judgment has been properly developed by your education, you ought to be able to meet issues as they arise, thinking independently and acting manfully. I had better say at once that I have not come here to preach, to exhort, or talk atmospheric stuff. My purpose in addressing an intellectual audience has always been to present them with the problems that they have to encounter, and to indicate to them the methodology that they should pursue in arriving at their conclusions : Naturally I will have to illustrate by a reference to concrete issues, many of which are in their very nature controversial. I do not wish to impose my opinions; nor do I feel it necessary even to state my opinions. But without concrete illustrations, it would all be speaking in the air; and that means speaking for the air, and empty performance which should be avoided. And so if current questions are touched upon, it is not with the idea of propaganda but as points for your independent thinking and resolution.

The days are gone by when Government service was derided as a degradation of patriotism. Latterly, and very naturally and properly, we have been revising our

previous values of public life and personal conduct, and have come to feel that even the members of the old bureaucracy have not been really quite so bad as we had imagined and that they too had been actuated by much benevolence and efficient wisdom, and that therefore our gratitude is due to them. A fortiori, no sin can attach to service in the ever-growing national governments of India. But I have no doubt that in these days too, public service in the sense of political life and non-official work, will continue to be the greater attraction, and the larger and more meritorious field. For that very reason, an outline map of Indian public life may not be altogether without its value.

Mahatmaji has said that the Parliamentary mind has come to stay. Can we go further and hold that the democratic method also has come to stay? For without Democratic methods Parliaments are a fake and farce. The democratic method implies not only a general mass activity and responsibility such as must be there under every form of nationalism, but individual responsibility, a sense of responsibility of each individual as voter and a constituent element, however small, remote and indirect, in the Government. I hope that my young friends going out into the world will honour the obligations of a democratic vote fully and always. Democracy and in fact every 'Ocracy' will be a success only when moral worth or personal competence and political importance go together. That is to say, when only men of merit and character exercise power and influence. If worthless men are elevated to high places, whether by accident of birth or corruption by money or ignorant votes, the result cannot be a success. A vote is not constitutive of merit. It ought to be recognitive of merit. Let us not imagine that because we get a large number of votes, we are necessarily very good and great. It is a mistake to think that many votes bring in their train many virtues. (*Loud Laughter*). Professor Gwatkin of Cambridge used to put it humorously and mathematically thus :—"Zero plus zero plus zero is still zero." The illusion that a large number of worthless votes will give you a worthy representation ought to be discarded. It is a fallacy to think that a large number of zeroes will give us either substance or quality.

This is not a new truth. Carlyle has driven home the lesson that all human activity should be subordinated, not so much to the positive laws enacted by man, as to the eternal laws graven on adamant tables. Human right and powers have to be regulated by a loyal consideration of the higher and more eternal laws. Drummond has said that there is a natural law in the moral world which you can no more ignore without serious consequences than the laws of the natural world or of physiology. We can defeat this party of that by organising, by rousing passions and prejudices. But can we defeat the inexorable law of historical Karma that will sooner or later work itself out? The moving finger writes and having write moves on, and not all the flow of the votes of the world can obliterate one letter of that fateful writing. That is why whatever the form of Government, there is always a call on our part for reflection, for honest criticism and the endeavour to weigh things in the eternal scales and live better lives. The ballot box is not the Eleventh Avatar of Vishnu. (Cheers).

I am glad that we have met on an occasion when there has been a real transference of political power directly in the Provinces and indirectly as by way of subtle reaction, even in the All-India Government, from the British bureaucracy to Indian national and nationalistic hands. It is gratifying to note that our Ministers have been, speaking generally, conspicuous successes. (Cheers). I do not wish to say anything about a Province in which I am only a transient guest (*Laughter*). But I have no hesitation in acclaiming the Madras Ministry as a set of people bent on high purpose who would do credit to any Government in any part of the world. (*Applause*). Lord Erskine the other day uttered words of sincere praise in honour of the Ministry. I have spoken to a good few Governors—at any rate to a few Governors, whether good or not—(*Laughter*), and they are all agreed that our Ministries, considering all the circumstances of the situation, have been noteworthy successes. I am not one of those who believe that a Governor's praise is veiled condemnation and curse. (Cheers). Appreciation, sincere and true from any quarter, ought to be dear to every heart, human enough to respond to kindness and to reciprocate generosity. This then is the time when we should coolly and calmly reflect on what are requirements of a democracy; because reflection in troubled times or under distress will not be regarded as having either moral value or intellectual integrity. It will be like repentance when you have got into trouble or after you have been

found out. (Laughter). It is much better that in this hour of general success and good credit, when nobody can point the finger of scorn at our Ministers, we reflected on the requirements of democracy, so that we may safeguard ourselves against possible pitfalls and dangers and not rashly go over the precipice.

If you ask me whether this thought that I am placing before you is new one, I say 'No'. It is as old as Aristotle. Aristotle pointed out how every form of Government was liable to perversions special to its constitution and suffered from congenital weakness which, unless guarded against, developed into disease, degeneration, decay and death. Thus monarchy, good at one time, if its power is not controlled and regulated by considerations of equity, legality, the general good and expediency, becomes tyranny. Similarly, Aristocracy may degenerate into Oligarchy, and Democracy into Mobocracy. No life's process, political or physiological, has permanent immunity from disease and death caused by internal weaknesses or external attacks. Look at the curious forms that Democracy or the mockery of democracy has assumed in modern Europe. In Germany there is conscription of votes in favour of the Nazi Government. They do not have party elections but what are called one list elections which are no elections. The Government propose a list for what it calls a popular plebiscite. Voters have to say "yes" or "no", that is to say "yes". (Laughter). There are no alternative candidates to be voted for. And if they do not vote for the Government candidate, they are given political education in concentration camps. (Laughter). I hope that that kind of democracy will not spread beyond the frontiers of the Fatherland. (Cheers). The electorates in Germany and in Italy are supposed to have freedom of vote. There is a story of a religious fanatic who devoutly believed in God, and therefore had naturally nothing but contempt for man. (Laughter). Approaching one of his friends with a revolver in his hand, he said:—"Tell me frankly, do you believe in God or no? You are free to answer as you like. Only I must tell you that I just now shot a man who said he did not believe in God." (Laughter). That is the democracy—the plebiscitary basis with electoral conscription of Dictatorship that you have got in Germany and Italy, and the type is spreading. Rousseau was of opinion that even in England the people enjoyed liberty only during the elections. (Laughter). A friend of mine improved on Rousseau's dictum and said that during the elections the British citizens had not only full freedom but plenty of free beer. (Loud laughter). Thereafter, till the next general elections, they had no freedom, or free beer.

A similar thought, though not in those terms, seems to have been expressed by a prominent Minister of Madras, who is reported to have declared in connection with the opposition roused by some of his measures, that as he had a majority he had every right to rule as he pleased till he was overthrown either by the legislature or by the electorate. The question is, have majorities not only the right to rule but the right to misrule? In the old days, we had the divine right of kings to tyrannise. Have we to-day the divine right of majorities to tyrannise? Evil cannot be a right, whether divine or human. Is there not something to be said in favour of the grand old theocratic doctrine of Islam that all secular powers, however installed, are but Vicegerents of God and should act as the agents and instruments of a Providence who is all mercy and compassion?—Not that the theory was universally or even generally practised. (Laughter). No theory ever is, not even the latest in our midst. (Laughter). It is because even democracy is liable to errors of judgment, if not mischief of a graver kind, that in some constitutions they have introduced direct and continuous control of the people over Ministries and Legislatures by means of such contrivances as recall and referendum, which are a mitigation of party government and the plenary rights supposed to be conferred by general elections.

But why should secular power, even elected power, be subordinated to higher moral considerations? What if it is not so subordinated? The answer is, there will result tyranny in some shape or another; and sooner or later, tyranny leads to strife and civil war. Either the tyrannical government will be overthrown or the internal weakness thus caused will make the State an easy prey to foreign invaders. So strength, stability and everlastingness depend on how earthly power, however generated or installed, subjects itself voluntarily to the regulation of heavenly laws. Moral laws are not matters of legislation. Votes and majorities do not create them and cannot repeal them. They are there, real, eternal. A self-government which is not nourished by good government will and must perish. And this goodness must be tempered by the need to be strong enough to repel foreign attacks. It cannot be ascetic goodness.

The great thing about England is that it is not the particular "arohy" or "ooracy" that is responsible for its national and international greatness, but the spirit of constitutionalism; that power of self-control and innate regard for the deeper laws of human nature, which is so ingrained in the British character. To illustrate: The Liberal Government under Asquith passed legislation curtailing the powers of the House of Lords. For the last 20 years since, the Conservative Party which opposed that legislation tooth and nail and would not bend except under threat of the royal creation of sufficient Peers to force it through the House of Lords, has been in continuous and overwhelming power in Parliament. Yet did it try to get that legislation repealed? No. Similarly, when the dynastic question about the late King arose, Mr. Baldwin took the Leaders of the Opposition into confidence, though they were a very small minority, and managed to reach a solution by general consent instead of by the mechanical force of his majority. Unless we learn how to subordinate legal rights and powers to the idea of moral competence, we shall be either tyrants or slaves, never free men.

Every form of Government and especially democracy rests on two foundations. The first is a strong character, individual and more especially racial, with an enormous capacity for organisation. It is from this point of view that I acclaim the Congress as one of the greatest contributions to the political and moral regeneration of our country. (Applause). It has taught our people how to organise. But then man is more than a machine. He must not become either a part of the machine that he has created or entirely subservient to the machine itself. As the Hon'ble Mr. C. Rajagopalachariar told us the other day—what does it matter what a written constitution is like? It depends on the Ministers in what way it would be worked. A written constitution adjusts itself to the character and personality of the Ministers. Similarly I suppose in the case of organisations. The party machine must be worked by men; and when men cease to be men, they cannot work it. It works them. I have welcomed Mr. Rajagopalachariar's pronouncement as a theoretical introduction to the practical acceptance of the Federation, however defective the Federal Act might be, and I hope that my interpretation is correct.

The second foundation is that along with strong character you must have a sane judgment. Will without reason, reason without will, either is an unhappy combination. The two must go together balancing each other. And to-day it is on the Principles of Political Judgment, which I think will be of some use to the young people going out into the world, in which politics are of such overwhelming importance, that I wish to say a few words, indicative and illustrative, but by no means exhaustive.

Great men have dealt with these two subjects, namely, hindrances to good citizenship and hindrances to sound political judgment. Immortal Plato has told us that there are certain fallacies into which people fall easily. He called them "Idols"—idols as we might translate into English—the idols of the market, the idols of the cave and the idols of the theatre. It is always worthwhile to keep in touch with the two Fathers of political philosophy, Plato and Aristotle. Mr. Bryce, who was both Professor and statesman of the highest standing, has written a whole book on "Hindrances to Good Citizenship". He analyses the power of money in democratic politics, of the press and of the various interests and how they create obstacles in the way of integrity of public life. Turning to ideas, there is the book on "Education" and "Study of Sociology" by the philosopher, Herbert Spencer, who enumerates all the prejudices which colour and distort our judgments. May not the Political Science Departments of our Universities take up this line of enquiry with reference to Indian facts and conditions and analyse the impediments that we encounter both in regard to ideas and in regard to conduct, in a dispassionate and scientific manner? It has been said, I know not with what amount of truth, that our Municipalities and local bodies have not functioned properly. Why has this been the case? And in the larger political life too, have not communalism and other factors vitiated the discharge of our duty as citizens? A Political Science Department should not be content with such general statements like these. It must collect the data, analyse and draw specific, and if I may say so, quantitative conclusions as far as possible. Is it not very easy in India to pass on a nostrum on the ground that our ancestors believed in it and had prescribed it? The appeal to ancestry—has it the same power over the different races in the world? And if it has not, what are the causes that give it such a widespread currency amongst one people rather than another? Why are some progressive and some regressive? I was one day talking to a friend of mine who was praising our ancestors—I mean the Hindu ancestors.

I do not want to touch any other ancients (Laughter); it is only with my own ancients that in these days of communalism I can take some filial liberty—and he was telling me that our ancients know everything and it was only we, their modern descendants, that were rotten to the core, wretched, weak, disunited and demoralised. According to him, our ancients knew everything except how to produce a decent posterity. (Loud laughter). Shall we accept the old, because it is old, adopt the latest because it is the latest, or should we treat each idea and prescription on its merits and adopt or reject according as it suits or does not suit us?

And what is meant by 'suits' us? Suits to preserve our ancient culture, to revive it and give it fresh currency in this new world or suits to make us a strong and powerful people prepared for the tasks of the present and the future? What again is meant by 'us'? Hindus only? Or an India in which the Hindus and Mussalmans and Christians and Parsees will all be Indians first, Indians next and Indian always and all through? Thus you see how points of view have to be taken into account; how evaluation proceeds on the basis of the policies we adopt. Does this not show that several of the slogans and sutras of our political life can only be relatively true—true from certain points of view or for certain purposes, the importance and adequacy of which have also to be determined separately? All around us, to use Plato's expression, there are caves, and theatres, and markets, which the sensible man should be careful to avoid?

Take the term "National Education". Which nation's? The Hindu nation's or the Muslim or the Christians? Has it or has it not a revivalistic flavour? And can we unite our people on the basis of a revival of the past? Has not the past divided us? If there is a chance of real unity between all the classes and communities in the country, aye the castes too, can we secure it by going back to ancient cultures and customs? Or will it be by evolving a future in which the ancientries of each and all of us would be duly modified and sub-ordinated to the requirements of an Indian India? Supposing in place of National education, we employ the term 'Nationalistic Education', will it make a difference, emphasising a futurist outlook? And again will it help if one people, namely say the Hindus, adopt the forward-looking policy while others in their religious or other zeal, adopt the backward looking policy? Shall we not test the political ideas recommended in this and other ways? And also adjust action to the bounds of the feasible and the possible?

Let me get away from what you may regard as side glances at current issues. As Seeley has said—History is past politics; and politics is present history. Therefore, the larger factors that have moulded history might help us, if we can grasp them aright, to form helpful judgments in politics. Thinkers have believed in a Science of history. And there have been written a number of Interpretations of History, dealing with the great, the fundamental causes that have moulded the destinies of races. It is impossible to deal with all of them here or even with any one of them in detail. I can only touch and go. John Morley has said that the two most powerful and abiding factors have been religion and economics. One deals with the soul and the other with the stomach. And both are perennial influences. But has religion been the same potent force in all communities and countries? What is its power amongst the Hindus, the Mussalmans and the rest in India? Why is it that some religions are more tolerant than others? Some religions are aggressive; some are widely indulgent? As regards economics, we know in a general way that poor people, if they are powerful, plunder rich people if they are powerless. Poverty gives a motive for invasion. But without power, victory cannot be won. And what is it that gives power to races? Is not power, even without poverty, an incentive for aggression? Do races ever have enough? And are we trying to cultivate the faculties and activities that lead to racial power? Which has the more potent influence in the Europe today, religion or race and economics?—race for political purposes being defined not as the anthropological race, which will make the Germans and us, for instance, one people, but linguistic, which seems to be the most powerful factor. Have not race and economics in a large measure superseded religion as a factor in the development of States in the modern world? And what exactly is our situation in this respect? The biological interpretation stresses the importance of race, of instinct and will, and the struggle for existence and the survival of the fittest. Some historians have held that the downfall of Greece and Rome was due to the stock degeneracy produced by malaria. The mosquito is thus a factor in history! Works have been written on degeneration, individual and racial. Is not one sign

of degeneration the incapacity to translate ideas, which are easily acquired, into action and conduct? The ethical interpretation holds that good always succeeds. But in the argument, it equates good the qualities that lead to success, and very nearly transforms itself into the proposition, not that good prevails, but that what prevails is good. And yet, however we define virtue and good, unless they conserve and promote power, permanent success and survival will not be possible. One of the eternal problems of life is how to correlate truth, power and goodness. Politics, not being a field of abstract doctrines and dogmas, compromises, conservative and promotive of power, are necessary, and to that extent truth and goodness must make themselves flexible and elastic. And they do too to the accompaniment of commentaries and explanations. There is a school of thought in our country which does not believe in struggle, and competition, necessarily involving aggression and suffering. They would like to see the historical process of struggle abolish and the millennial process of complete peace and non-violence established as the rule of the universe or at any rate of India. Is this realisable? I have already referred to those who wish to blot out the Universities and stop this exploitation of nature, which carries with it the exploitation of the weaker man. Buokle is the answer to this. In this great book he has shown that the moral conduct of men and races remains about the same from ago to age and that therefore the key to progress, which is more rapid than moral evolution, cannot be found in ethical changes. It is in intellectual progress that you must find the key to all the tremendous changes that have taken place. Intellectual progress in science and in Applied Science is responsible for the rise of nations. Intellectual sterility leads to downfall. But again suppose the intellect is coupled with a strong will. It may give light for other people to walk by. Will it enable you to walk by it yourselves? Is the Elan Vital an acquirable faculty? What a welter the world is. We are talking of human brotherhood and Mahatma Gandhi has most sublimely illustrated it by the Harijan uplift movement. (Applause). But in Germany the Jews are being persecuted and in the British Colonies, Indians continue to be treated as untouchables. Is Manu an episode of Hindu history or is he the eternal old Adam of human nature, who can never be left out of account? I trust that this digression into the spacious field of interpretations of history so extremely sketchy and incomplete, will give you an idea of the modes of testing current policies.

In India there are at present three or four ideologies, all of which deserve your attention. You must determine for yourselves which you will adopt and by which you will be guided. Firstly, the Capitalistic idea. But capitalists have never opposed regulation of the rights of property within limits. As Lord Salisbury once put it "in a sense we are all socialists now" and have been so for at least a century. In the principles of taxation, protection given to labour, old age pensions and so forth, socialistic economies have been liberally introduced. Secondly, there are the socialists of varying degrees of radicalism. The communists are for re-constituting society on an entirely different model. But none of these are democrats. The communists certainly believe in the totalitarian principle, the Dictatorship of the Proletariat. And the present autocrat of all the Russia's, Joseph Stalin, seems to be a greater believer in chopping off heads than in counting them quietly. He too has now introduced Capitalistic elements into Russian economy—and national elements also. Capital and Sex cannot be abolished, but only regulated.

There is a third voice in India, the Gandhian, noble, idealistic, sublime in many respects. Mahatma Gandhi tries to inculcate a new moral and evolve a new type of society, based on the two cardinal doctrines of non-violence and truth. As deduction from non-violence, we have the following policies—abolition of the police, abolition of the military and a State with no coercive power. The State must be a school, not a barracks; and a school without a cane. From what he regards as truth combined with non-violence, we have an educational system which is to be self-supporting and which will inculcate the virtues of a self-contained life, the introduction to the self-contained village and to a non-competitive, non-aggressive national economy. His rural reconstruction scheme—what Mr. Kumarappa calls decentralised production—all these are intended not so much to create a new nation, as we understand nation, but a new society.

But as I said before in the field of politics, uncontaminated doctrine is impossible. And we have accordingly compromises. The author of non-violence supports the employment of the Criminal Law Amendment Act. His followers are for the Indianisation of the Army and for universal military training. And the Congress has appointed a Committee to suggest economic planning for the whole country with Mr.

Jawaharlal Nehru, whose doctrines are the opposite of those that emanate from Wardha, as the Chairman. Nor is truth averse to coalitional bargains such as have characterised ordinary oppositions and parties.

I mention these things merely as subjects for serious reflection. I have no opinions to give on this occasion. For my purpose is to make you think. Nor would I advise you to decry a doctrine simply because it cannot be immediately adopted wholesale and unalloyed. A practical test is, Will it lead to such betterment as would compensate for the sacrifice of its purity? Mr. Kumarappa's views have been severely criticised by the young Andhra economist, Mr. Narayana Prasad and others. But then, has any philosophical doctrine, any religion or philosophy, ever received perfect illustration in this cantankerous world of ours? As Shelley has put it, the white radiance of Eternity become impure and distorted as it comes through the many coloured dome of humanity. Do we therefore deny the presence and value of the eternal Light? The other day a Congress friend of mine in the Andhra Senate moved a resolution for organising a University Training Corps. And when he was asked how he reconciled this with his dogma of non-violence, he cleverly replied: "As individuals we believe in non-violence but not as Government." (Laughter). True, it has sometimes been said that the meek shall inherit the earth. I ask how far below the surface. (Loud laughter). The Madras Premier also accepts the principle of force in governments and is not afraid to illustrate his present faith by action. It is no reproach to him that politics inevitably functions at average human level and will not ascend flaming into high heavens however much we provide it with doctrinaire wings which fail to flap in our heavy atmosphere.

But this much must be said in wholehearted admiration of this latest gospel of human salvation. It forms a single logical philosophy of life, well-knit and inter-related in all its parts. If we honestly and sincerely adopt that philosophy of life, should we not resolutely carry out its corollaries? Or should we say that because the corollaries appear to be impossible of operation, therefore, the philosophy must be rejected or modified? Let us at any rate examine the postulates on which rests this noble philosophy and gospel for all nations, or rather for a humanity nationless and perhaps stateless. In saying this, I want my friends to realise that I am giving a place to the most remarkable genius that India now possesses along side of some of the greatest lights and leaders of mankind, all of whom have been mystics and all of whom had introduced an element of peace, sweetness and grace into life's tempestuous relations. Have not "our hopeless hands been clinging to their cross of hope?" When I went up to Cambridge, the first thing I was asked to do was to write an Essay on Ideal States from Plato's Republic down to Mr. H. G. Wells's Utopias. In my essay I pointed out that Plato was very logical, that he said that the world should be ruled by philosophers and he also laid down a doctrine in which I cordially concurred, viz., that philosophers should be spared all domestic cares and worries (laughter) without however being obliged to lead the miserable life of bachelors, (Renewed laughter), and suggested a compromise on communistic lines. Plato starts with his Ideal speculatively formed and deduces from it institutional consequences. H. G. Wells reverses the process and imagines a future which will be created, not by moral ideals descending on the earth, but by the present operative forces reaching their logical culmination. I told my Tutor that William Morris appeared to me to be the best of all, because by the very title of his book "News from Nowhere", he had frankly and honestly admitted that ideal States were not possible of realisation. (Laughter).

What then is the place of mystic idealism in politics? It has certainly a place in individual life, a big place. But has it an equal place in racial and national? Martyrdom in individuals is regarded as a sublime sacrifice, ever to be venerated. But could we prescribe martyrdom to whole races and nations? Disarmament is good. But if one nation disarms while the rest are piling up their military establishments, is that not the way to racial subjection and suicide? But all the same, there is a logic in it which we admire, and a beauty of thought and feeling and a gracious nobility that elevate and inspire. Economic competition should go; and if that is to go, we should limit our wants and desires. We should lead simple lives, get back to a rural civilisation. There is still another postulate, voluntary limitation of families! Sublime. But would village civilisations be able to stand the onslaughts of modern urbanised civilisation? And is it not curious that Germany and Italy are trying to increase their populations just as our

ancients did? True, exploitation of nature leads to the exploitation of man, Let me illustrate. Oil is of special importance. So the powers want to acquire the oil fields of the world by depriving the weaker races of such oil fields as they possess. They want iron. Therefore they must conquer the countries where there are ores. They want rubber. Therefore, they enslave Africa. Thus, exploitation of nature, innocent as it ought to be, has undoubtedly led to the slavery of the weaker people. When we think of all this ghastliness, it does seem to us that the simple life would be a solution, provided it could be practised without danger of subjugation and ultimate extinction.

What is the object of our nationalism? Is it to strengthen India as a nation or is it to create a new type of society in India, which would lead the way to a world renovation? Have not these two ideas got mixed up in our country at the present time? And have not persons who voted as nationalists been wrongly and by way of confusion of thought been regarded as adherents of this philosophy of life and its deductions? (Cheers). Patriotism and nationalism are the very life and atmosphere of Germany, of England, Japan and other countries. But these particular reconstructions of society and State are not thought of anywhere except in India. We recommended these particular ways of social and racial salvation to Abyssinia, to China, to Czecho-slovakia, to the Spaniards and to the Arabs in Palestine. But it does not appear as though any of them listened to us in the least or ever would. Shall we then say that these are the special requirements of India only? And will India thus rendered unique be able to hold her own?

There are three methods of evaluation of political ideas, which we somehow mix up in our country. There is the speculative method. An idea is good in the abstract; therefore let us try to institutionalise it immediately. As an aspiration it has a value. As a heaven and an influence, it has a value. But if it made us unique and weak, it will have value only as an example to be avoided. Speculation may take another aspect, namely, revival of an impossible past. It is easy to appeal to masses on the basis of ancientry, of national this and of national that, meaning the primitive this and the primordial that. I understand that some people are trying to solve the question of school buildings by saying that holding classes under trees is a national way of housing classes. I do not mind holdings classes under a mango tree, if you are not anxious to see the mangoes there. (Laughter). Surely open air schools can be recommended on modern grounds without dragging in ancientry. Can we carry ancientism further and say that it would be a fine tribute to our still more primordial ancestors if we all take to dwelling in trees and thus solve the housing problem? (Loud laughter). The most practical methods are the historical. What has been the process of history so far? Shall we adjust ourselves to that or shall we try to hold up history or reserve the engines?

But if there is a contradiction between the moral ideal and the historical process, does it not mean that every endeavour should be made to achieve a new and higher synthesis, trying to combine as much idealism as possible with actualities? It seems to me that this is the great task before us and indeed of all humanity not yet dead to conscience. Reconciliation between ethical needs and historical requirements—that is the problem. We cannot do without Mahatma Gandhi. Nor could we do without historical evolution. Could we combine the two? Could we not have large economic planning of the Russian model and at the same time develop cottage industries not necessarily by hand labour but by the supply of cheap power, as has been done throughout North Italy, where in the Lake regions every house almost has its electrical installation for industrial purposes? Has not Mahatmaji done a great service by emphasising neglected aspects of social and economic endeavour.

Mr Jawaharlal Nehru has been advising us to think internationally. This is a variety of the historical method known as the comparative. We compare the political situation and the economic condition of the States now existing and see how best we can cope with the task that these developments impose on us. You must make a comparative study of the different states and societies including their economic, political, military and other organisations, and see how you should adjust yourselves in order to be able to equal them and play a creditable part in the shaping and re-shaping of the world. And thinking internationally suggests that we should be modern in our thought, outlook and organisation. We sent a hospital ship to China which contained modern surgeons and modern implements and not Mantra and Tantra experts. You cannot be thinking internationally and at the same time acting anciently. It is a fallacy, I think, to hold that there is a battle of 'oracles' going on in the world now,

Are all the democracies on one side and are all totalitarian states on the opposite? Is Russia a democracy? Whas it not till the other day in open alliance with France? Are not international alliances based more on interest than on any other consideration? Poland has been under a dictatorship all these years. And yet till the Czecho-Slovakian incident, it was an ally of France. There may be some truth in this battle of 'ocracies', but is it the whole truth? Is it not to the interest of France, capitalistic and nationalistic, to be in alliance with Russia, communistic, nationalistic, in order to meet the German menace? Is there not further the fallacy of thinking that all the suffering nations are democracies and the aggressive ones non-democratic? Is China a democracy? Has it not been under the government of a party, the Kuomintang? Are all the under-dogs democrats? Some people appear to be inclined to think that every oppressed nation is a democracy and every oppressor, non-democracy, as though democracies do not know how to oppress, though we in India do not know that the British democracy can be oppressive. When we are told that our frontiers are not now at the Khyber Pass but in China, on the Ebro, in Czecho-Slovakia, and on the Jordan and all sorts of outlandish places, I sometimes wonder whether, unknown to ourselves, our Capital has already been shifted to Moscow. (Loud laughter)

But thinking internationally is a method of politics which is indispensable. It will save us from anioyancy, the archaic and the obsolete and unhistorical approaches to problems. It will keep us modern, a task which is by no means easy in India.

As I have said, the great task of India is the bringing about of a synthesis between the ideal and the historical, between the essentials of our racial cultures and the requirements of a modern or a futurist Indian India. If the past cannot give us a common ground we must contrive to secure a future that will. Furthermore, remedies which are not perfectly good may not be rejected if they are of some value here and now. Remedies are of three types, palliative, preservative and curative. While health and hygiene should be our main pursuit, remedies may not be ignored so long as we are subject to ills. Amongst these acts of synthesis or of remedy, the most important is the Hindu-Muslim question. It is the dearest wish and prayer of my heart that Mahatma Gandhi, the sincerest ambassador of Hindu-Muslim unity, will be able to bring about concord and union in the very near future so as to make a national state in India possible. (Hear, hear).

We are often told that we must preserve our culture. What then is the relation between power and culture? It seems to me that culture without power is like a lamp without oil. (Cheers). It will flare up for a moment and die out. Here is a quotation from a recent speech of Dr. Rabindranath Tagore who puts it with his usual power and point:

"We cannot go on blindly following the advice of the so-called friends of our country and let them exploit our resources for themselves. We need to keep pace with the march of time and specially require industrial enterprise and scientific culture. The days of courting poverty and plague in the name of spiritualism have gone for ever and we must realise that, however great our civilisation might be, it will crumble to dust unless we have adequate power to maintain it."

This is the reason, namely, attainment of power, why I have been imploring the Congress to enter the Federation and guide the destinies of our country. The Congress is in power in the majority of Indian Provinces. No Governor-General dare ignore the Congressmen in the Central Legislature. I am perfectly certain that no Federal Ministry worth the name could be formed without a predominant representation or an adequate representation of Congressmen. I do not know why my Congress friends feel difficult or do not accept the odds such as they are, with sufficient self-confidence and determination. Their influence will be far greater than what may be represented by their numbers, because they are a power in the country, and a power in the Provinces. And they cannot be relegated to a position of insignificance in the Central Government. It would be a day of pride and of deep gratification to me and glory to the country—I say this in spite of differences—if accomplished gentlemen of the type of Mr. C. Rajagopalachariar—not that there are not equally capable men in other Provinces (Laughter and Cheers)—are enthroned in places from which they can shape the destinies not of a single province merely but the entire country and give our motherland a bigger standing in the international world, irrespective of Party. I am sure the good wishes of all will be with the Congress, for they can secure the conquest of power from England, its transference from the British into Indian hands, better probably than their political rivals in India.

There are safeguards in the present constitution. But these safeguards come into operation when matters reach a crisis, when the patient is, as it were, on his death bed. But Aristotle has laid down more than 2,000 years ago safeguards of a far more fundamental character, safeguards for all time and all constitutions. The Aristotelian safeguards are a permanent hygiene of the body, promoting daily health, daily vigour and ensuring a long life. First, vigilance. The people and the members of a Party must be vigilant. They must, within limits and subject to the law of moderation, be free to criticise the doings of their leaders, criticise with charity, fair-mindedly and with constructive purpose. Without vigilance, any party will degenerate. A party which resents criticism is on the high road to become a deadly superstition. Secondly, moderation in the exercise of power. That is the spirit of constitutionalism which prevents perversions over-taking constitutions. Thirdly, consideration for those who have been displaced from power. This is the great code of honour of European politics in general and of English politics in particular. You never see a Prime Minister of England treat the leaders of the Opposition as anything but equals. The consideration, the honour shown to them, is one of the factors that has contributed to the charm and sweetness and harmony of English public life. Without such consideration, there would develop a spirit of civil war which will weaken the State, both for purposes of internal good and safety for external attacks. These safeguards are not intended merely as exercises in sentimental philanthropy; they are to be practised for the sake of the healthy growth of political tradition and the stability of constitutions.

I would add just two more sentiments before I conclude. Let us not be narrow-minded in our political views and thoughts. We must not treat those who do not agree with us as though they are Mlechhas, and while removing social untouchability inflict political untouchability. Let us credit every one of our people with patriotic motives and objects however much their policies and methods differ from those which we consider the true ones and the right ones. As a matter of fact, did we not the other day go into deep, sincere mourning over the death of Kemal Pasha, the great Ata Turk, instinctively thereby recognising that all patriotic excellence has not been cast in one mould or is made to flow in one direction, but that there are other types also that are patriotic, nationalistic, efficient, capable of raising fallen countries into a new vitality, without adopting either our special philosophies or a revivalistic tendency? Certainly the Ata Turk did not illustrate, preach or exemplify any of the doctrines which are now so current in our country and which have become mixed up with nationalism. He was a stern reformer, who ever looked forward and upward, never backward. There was no question with him of reviving ancient Turkish customs, which he ruthlessly abolished. The Arabic script was changed and the Roman substituted. In regard to that most difficult and delicate of all problems, the problem of the Purdah, he enforced the most revolutionary change. He put down the Moulvies and Mullahs of Turkey and showed himself a person who was determined to Europeanise the country without ceasing to be a Turk and in order to save the Turks from subjection to foreign powers. Japan also has become Europeanised in its material aspects while remaining true to Japan in soil and spirit. This is a lesson which I trust will not be lost on my countrymen.

None of us need go about, as though we have established a monopoly of virtue for ourselves, dividing the people, so to speak, into castes and outcastes, and refusing to extend the benefit of a charitable judgment to those who, in our view, are heterodox. Let us admire excellence of every type and variety irrespective of party. What a sublime sentiment it is of Mayura, who in his Surya Sataka, has described as the sublimest attribute of the Sun that his rays fall with equal grace and tenderness on the hard, sharp, frowning peaks of mountains and on the soft lotus buds, greeting him with a blushing smile in the morning! My dear Guru, Mr. Gokhale, used to say—let us spiritualise our public life; and charity is the essence of spirituality. In judging of policies and political parties and persons, let us, after the manner of the glorious life-giving, life-enhancing Sun, allow the benefit of the best possible interpretation to rest on every action that we feel obliged to criticise, and on all persons and parties with whom we have differences, and thus achieve grace, beauty, harmony and united strength in our public life, for the sake of our country.

## The Osmania University Convocation

The following is the text of the address delivered by *Mr. C. R. Reddy*, Vice-Chancellor, Andhra University at the annual Convocation of the Osmania University held at Hyderabad in the year 1347—Falsi (1933) :—

Hyderabad occupies a most important place in the cultural, the social and the political history of India more especially in relation to the Andhra people. Until the fickle fortune of history brought about the separation, the Ceded Districts and the Northern Circars were a part of this Dominion; and if they had continued to be still a part, Hyderabad would have been almost completely and at any rate in majestic predominance an Andhra State. Even today Telangana forms a major portion of the Dominion and the Andhras the majority of the citizens owing devoted and loyal allegiance to His Exalted Highness. The sources of the Andhra History are now within your frontiers. Warangal was the capital to Kakatiya dynasty and it was the watershed from which three streams of history have flown, the great Empire of Vijayanagar, the Reddy Kingdom of Kondivedu and Rajahmundry, and the Velama States. In literary history Warangal remains immortal as the scene of the great poet Pothanna's translation of the Bhagwat Purana.

Hyderabad has justified its pride of premier position by the progress it has achieved. It is not a mere imitation of the British Raj or other Western models. It is a Swadeshi product—constitutional Khaddar if you like, woven by Indian hands, fashioned by Indian History and Indian genius, and shot with the colours and glory of Hindu-Muslim co-operation and fraternity. It is a racy product rooted in our soil and deriving its sustenance from that Hindu-Muslim Unity conceived and promoted by Moghul Emperors, like Akbar the Great. The history of Hyderabad is one in which Hindus and Muslims could take equal pride. Hindus have occupied very high places in the administration of the Dominion, both Civil and Military. The armies that fought for its integrity were largely composed of Hindus and more especially, if I may be permitted to say it, Andhras and Reddies. Hindu temples have received full protection and patronage and it is general knowledge that some of the Nizams paid devotion to Hindu Sanyasis as to their own holy men.

The Dominion occupies the heart of India. It is from certain points of view the heart of India, something higher than a mere geographical centre. It has evolved a new civilization, which might properly be called Dakkani civilization, and in later years His Exalted Highness' Government have spent enormous amounts for the preservation of the glorious Buddhist vestiges and sovereign triumphs of art, which are the wonder of the world,—Ajanta and Ellora, rock-cut temples decorated with the most delicately drawn frescoes inside, the rock-cutting typifying the strength of giants and the engineering skill of supermen and the frescoes the infinite and delicate grace of the Divine feminine in human civilization.

In tracing the lineaments of this Dakkani civilization, symbolic of what the heart of India would have achieved had it not suffered arrest and diversion, I may be permitted to mention the special affinities between the Muslims and the Andhras. Architecture and Art took a synthetic turn and even religion did not escape this process of this higher synthesis. Pothuluri Veerabrahmam, who caught the Islamic spirit of Monotheism and its social democracy, fiercely denounced caste among the Hindus—"What caste shall I describe myself as belonging to these worldly men and fools? My caste is co-extensive with Universe." The Mahal at Chandragiri situated about 40 miles from my native place of Chittoor, reveals the influence of Muhammadan architecture. I am told that the corridor of Ibrahim II's tomb at Bijapur is essentially Hindu in style.

Addanki Gangadhara Kavi dedicated his *Tapti Samvarana Upakyanam* to Ibrahim Kutubshah of Golconda and, in his description of the Court of Ibrahim, he refers not merely to the ambassadors of the Gajapathi and Narapathi Monarchs, but to the Poets versed in the eight languages and to the Pandits who were authorities in the Vedas, Sastras and Puranas. Ibrahim becomes in Telugu *Mulk Ibha Ram* and he is described as being very fond of listening to the Epics and Legends of Hindu India. It is of peculiar interest to note that the first poem written in pure Telugu, without any admixture of Sanskrit or derivatives from Sanskrit, namely *Yayati Charitra*, is dedicated by its author Ponniganti Telganna to Amir Khan, an officer of Ibrahim Kutubshah. Malla Reddy, the famous poet and author of "*Shad Chakravarthi Charita*," described himself as having visited the Court of Ibrahim Mulk by invita-

tion, and in a laudatory verse compares him to the moon at which the dogs keep braying, meaning rival poets and kings, a verse the spirit of which is more commendable than its poetry.

Akkanna and Madanna are famous names in Dakkani history. They were the Prime Minister and Commander-in-Chief respectively of Tana Shah, the last of Golconda Sultans. Akkanna's three nephews occupied responsible posts in the Golconda State. One of them was Gopanna, the immortal Ramdas of Bhadrachellam fame. Even today visitors to Golconda are shown a particular room in the Fort as having been the scene of the imprisonment of Ramdas for having embezzled State moneys in order to beautify the temple at Bhadrachellam and decorate the holy images with costly jewellery. The legend has it that Rama and Lakshmana appeared before Tana Shah in the guise of the messengers of Ramdas and paid him the moneys due, and that Tana Shah, realising afterwards the Divinities in human form that had appeared before him, blessed his good fortune and praised the Almighty in ecstasies of joy for the great favour shown to him—an instance of how closely Hindus and Muslims began to blend into one spiritual shap. And Tana Shah's name has passed into the large receptive catalogue of Hindu veneration.

To have become in ever increasing measures the confluence of Holy Sangam of Hindu Muslim civilization must serve as an inspiration for greater achievements in the future and I have no doubt that the present policy of His Exalted Highness and his Government under the Rt. Hon'ble Sir Akbar Hydari is steadily and broadly minded, marching towards that unity of the dis-severed soul of India which is our goal.

It is now, as I said before, almost exactly 30 years since I first visited Hyderabad as the guest of Mr. Hydari. Impressive as Hyderabad then was, it has beaten the most optimistic anticipations of progress by the achievement of the succeeding years. To day from every point of view, Hyderabad is in the van of substantial moral and material progress in India and may be regarded as one of its Flag-bearing States. But the increasing association of the people with the Government must be pursued steadily and the people also whatever their creed and mother-tongue, whether Andhras or Mahrattas or Muslims, should take a patriotic pride in the Dominion and see to it that its integrity and historic personality are maintained and promoted. I would want the people of this Dominion bound in mutual love and in common loyalty to His Exalted Highness to promote the economic prosperity and the cultural advancement of the State and to become, in finer measure than now, a voice in their own right, which will carry its message of hope to All India and evoke echoes of admiration from the world outside.

The Dominion has a great mission to fulfil in justice to its own history as well as the future of India. It is the custodian of the Moghul tradition of Hindu-Muslim Unity and their partnership in the secular field of citizenship. The greatest safeguard of a constitution is not its form, but the identity of interests between the Rulers and the Ruled and their devotion to the good of the State and its progress and strength, for a progress which does not increase the strength of the race is no progress but a disease leading to decay and degeneration. The mirror of Hyderabad must reflect the light of Akbar the Great all over India.

Already through the Archaeological Department the Dominion has done sublime service to ancient Art and Sculpture and has acquired an international status as a guardian of Indian culture.

I expect Hyderabad to be a firm promoter of University education in all its Departments. It is to me as to all Educationists a matter of the deepest gratification that the Osmania University, which has struck an independent line of its own and had added a new note of impressive grandeur to our system of University education has been a success, in which not merely Hyderabad but the entire country could take legitimate pride. As an Andhra, I may be permitted to rejoice specially in the fact that its location bears a Telugu name "Anhika Metta" meaning the supreme height, whilst the capital of the Dominion itself is in the Telangana; and we Andhras are proud that we are the location for all the metropolitan activities of this great Dominion.

The chief credit for the organisation of the Osmania University on lines of courageous originality belongs, if I may recall a historical fact within my personal knowledge, to my Right Hon'ble friend Sir Akbar Hydari and I trust that it won't be regarded as a sign of vanity and that most incurable of all vanities—senile

vanity—if I recall how I was consulted by Mr. Hydari as he then was, frequently during the inception of the scheme and more especially in regard to making Urdu the medium of instruction, which I strongly supported. I remember the pride that Mr. Hydari took in the Translation Department which he instituted and the way he used to draw my attention to the various publications, and how I on my part felt that whatever was possible in Urdu today would be equally possible in Hindi, Telugu and every other Indian language the very next day and that therefore the Osmania University was making no local but an All-India contribution of the highest and most fundamental value to our culture. I have no doubt that this originality of outlook, breathing faith and confidence in the future of Indian languages and culture, will actuate and is actuating the various departments organised here and that research and creative activities will in consequence find memorable illustration.

The way in which this University is fostered by His Exalted Highness and the Government should be an object lesson to every person and to every Government in India.

There is one point which I have for years felt to be one of the defects of Indian administration in general. Women's progress and women's needs have not received the attention due. Their education, general as well as special, such as Domestic Sciences and Arts, the extensive organization of separate hospitals for women and children and a widespread system of Women's Technical Schools for teaching, child-welfare and hygiene, first-aid, values of foods, scientific cooking, dress making, laundry, music and painting; and in the higher collegiate grades of education, Sciences and application of Sciences required to make the home efficient, all these must be organised; and I would even recommend the organization of a special department for these purposes. Unless for a half century at least such a department is organized to function, the necessary motives and pressure for providing funds and promoting these measures will not be forthcoming.

In pride and fullness of heart as an Educationist I beg to congratulate the Sovereign, the Government and the Dominion on the success achieved by the Osmania University. The band of young, accomplished and enthusiastic teachers composing the different faculties are a team which the greatest Educationists in India would be proud to captain. The researches accomplished and going on and the investigations in the theoretical and applied fields of Science including Zoology, Physics, Chemistry and Civil Engineering and History augur not merely an All-India but an international future for the Osmania. To be the first to recognize an Indian language as a fit medium for University culture and to have made the University founded on that principle a centre of modern research, these are the accomplishments for which India must be eternally grateful to the Dominion.

It is a matter for profound national gratification that the grand buildings of the Osmania University—the grandest college buildings known to India and memorable triumphs of Indian architecture—are designed with Akbarite imagination in a Hindu-Muslim style, being an original and impressive combination of the Saracenic and the Ajanta models. They are a visual demonstration of what could be achieved by a happy blend of the two civilizations.

I seem to be carrying coals to Newcastle. Yesterday at a lunch I suggested that Hyderabad should do pioneer work in another field by establishing a domestic Science College of University grade teaching upto B. Sc., (Honours) and the M.Sc. standards. I was informed by Miss Pope and the Vice-Chancellor that they had already a fully drawn up scheme which has been approved by the Faculty. If this College on really up-to-date lines is established, it will be a big institution, most useful and also of scientific and cultural value and the only one of its kind in India.

Ancient books deserve no less attention than ancient monuments. In 1927 I organised an expedition of Pandits for collection of Telugu manuscripts in the Dominion and within a short time they brought back over 600 Palm-leaf books. Whereas in the case of an ancient monument people have to go to the locality where it is situated to enjoy the sight, the books can go where the people are and their reach is larger and more facile. I am happy to be able to say that Government have already thought of this and are considering measures for organizing publications of this kind.

The Translation Bureau of the Osmania University has already developed into a general publications department. Your Pro-Vice-Chancellor is fully alive to the need

of bringing out original treatises embodying the lectures delivered and the researches conducted. In a few years there will be books impregnated with the personality of the Faculty Members, rich in literary qualities and more attractive to the general reader and the regular students than translations however good can ever be. Then will Urdu reach the fruition of its potentialities as a medium of modern education and in reaching that status enable all the sister languages of India, by example and helping hand, to reach equal heights of value and importance.

There are certain fields of modern scientific research—pure and applied—which are in my opinion possible only for the Osmania University to organize in view of the heavy finances involved. Only the generous and enlightened Government of His Exalted Highness can find the moneys required and that moral enthusiasm. For instance, a laboratory for Atomic Physics. If such institutes are established the Osmania University will even now and immediately become an All-India attraction to researchers in science and applied science, the Nalanda of modern scientific culture. When we release how discoveries in Agriculture and applied Chemistry have redounded to the fabulous prosperity of Western countries and how the field of developments in this direction is by no means exhausted and nature still calls for exploitation the contribution that the Dominion can make to the cultural standing and the material progress of the country appears to be boundless in its magnitude.

I would like to say one word before passing on to address the graduates more directly. It is not enough that the Dominion should cast an eye of kindly favour, love and benevolence of the Andhra University. Even unions of hearts and the grace of love has to be institutionalised in marriage as otherwise it would work havoc on society. So also the present gracious contact between His Exalted Highness' Dominion and the Andhra Desa will have to be given an institutional form in the cultural field—the one field where no contentions are possible and in which harmony and identity of interests so naturally prevail. How that may be achieved is a problem to be solved; but I do not despair of a solution. We must re-unite the broken threads of history and restore unity of spirit. To mention a possible instance, if in the matter of Sanskrit and Telugu publications to be brought out by the Dominion Government the agency of the Andhra is invoked, it will be readily accepted as a duty and honour.

Graduates and students, I heartily congratulate you on the degrees you have obtained, which mark, I believe, a high standard of real and practical knowledge, for which you ought to feel deeply devoted to the munificent patronage of His Exalted Highness. I hope going through a college and graduating will not fill you with an undue sense of self-importance. Reverence to your elders is a quality which you cannot dispense with so easily or so soon in your careers. As an English writer of great power has put it, "remember thou art a chicken just hatched with a shell still on thy head," the shell I suppose being represented by the Academic cap. Life's sterner trials are ahead of you and they cannot be faced without a serious course of apprenticeship in the schools of experience and under persons of ripe wisdom. Even politics to be an useful pursuit cannot dispense with the necessity of apprenticeship. Alexander the Great is credited with the saying "for my physical life I am indebted to my father but for my spiritual to my teacher." I wonder if that sense of reverence for the teacher is as strong to-day as it should be and as it has been traditionally amongst us. "It is not enough that you have gone through a college" as Mr. Chapin put it. It is more to the purpose "if a college has been through you" i. e. if you have acquired not merely knowledge but the disciplined faculties by which new discoveries and inventions are made and new situations are adequately faced. Enthusiasm which cannot survive the impact of facts and the test of realities is mere froth which betrays shallowness of the soul. You must have heard of the strike fever, which seems to have seized some of the students in British India. I trust guidance by teachers and parents will not suffer impairment in this Dominion as it has to some extent in the provinces outside. A sense of modesty is more often a truer sign of profundity than assertiveness and dogmatism. Socrates was called wise because he claimed that he was only a lover of wisdom and not its possessor like the Sophists. Owing to this very modest manner in which he rated his own deep knowledge and wisdom, he has been elevated to the throne of Philosophy. Nor like the Athenians be volatile and lovers of change for its own sake. Those who grow from within, as a result of their felt needs and experiences and struggles, change more slowly than

imitators of foreign fashions and the latest developments of Europe. A love of novelties and hollow echoing of other people's latest revolutions in the economic or political field, ignoring the fact that these revolutions are the products of their history and their conditions, does not bespeak a sure aptitude for real enduring progress or its safe foundation.

The felt presence of the Eternal is the most sustaining power for righteous conduct. It is not necessary to have recourse to supernatural arguments to prove that such a felt presence is a positive fact of life.

The great Philosopher Spinoza taught us to conceive things *Sub-species eternitatis*. He was a Pantheist like the Advaites of the Hindu fold and the Sufis of Muslim. Whether this Eternal is an objective fact or not, a little reflection will show that it is an almost permanent subjective feeling, a form of perception, as the Philosopher Kant would have put it, and therefore, at any rate, a fact for us.

I may illustrate this truth in this way; two persons fall in love with each other and each imagines, nay more than imagines, feels deeply to the inmost core of his or her being that the other would remain for ever and ever the same attractive, charming and obliging person—a beauty that will be a joy for ever. Of course all married people know that this is not in reality the case, that change overtakes sooner or later, generally much sooner than imagined, and not always for the better. And yet at the time of falling in love, this idea of possible change, though intellectually it may be perceived as a fact or rather a possibility, is not and cannot be felt as a reality, but the feeling and the entire soul's reaction at the time and for the time being proceeds on the basis of eternal youth and beauty. Waves echo the ocean; moments reflect eternity.

It has been well said that man proceeds to acquire wealth as though he will never know old age and death. This illusion of Eternity, granting that is not an objective fact, is a very powerful and abiding factor in our life. I wonder if it is an intimation of immortality, akin to those famous and profound intimations, of which Wordsworth sang in one of the sublimest of English Odes and in the moving little piece so touching in its pathos and simplicity "We are Seven." It seems to me that here is a positive approach based on felt experience, felt not merely by isolated individuals but by widest commonality, to ideas of God and Immortality. The cultivation of this sense of God and Immortality is the highest inspiration that human nature is capable of and the firmest support in all its trials and tribulations. May this sense be an abiding and growing regulation of your lives, and may you all conduct yourselves and act as Immortals in the hands of the Almighty.

## The Benares University Convocation

In the course of his address delivered at the annual Convocation of the Benares Hindu University held at Benares on 17th December 1938, Sir Sarvapalli Radhakrishnan said :—

"If Britain fails to develop in time a strong and self-governing India, she cannot escape the destruction which has overcome empires as proud and seemingly as firmly rooted as her own".

"Great Britain", he said, "can work for a liberal and democratic civilisation by transferring her empire into a commonwealth of free nations and that will be her greatest contribution to a better world order. It is difficult to understand her foreign policy or her Indian policy. It is unimaginable how Great Britain and France could view with indifference if not sympathy, the consolidation of the dictatorships. One explanation is that class feeling has prevailed over patriotism among the Governing classes of Britain. Another is that the British people have lost their ambition and their ingrained sense of being the greatest power in the world and so have yielded to other powers and themselves suffered a loss of strength and prestige.

"In a disordered world we seem to occupy a sheltered position and enjoy in some measure the amenities of civilised life. In the British Empire our position is a junior and subordinate one. So far as our defences go, we are in a helpless condition. Even now a great safety of our country is growing up in the Far East and its tremors are felt in Siam and Burma. Germany is striving to extend her influence through Asia Minor, Iraq, Iran and Afghanistan to the frontiers of India. In the dangerous condition of the world, where three great powers are acting in

concert, adopting the doctrine of force as the inspiration of their policies, Britain must reaffirm her faith in freedom and democracy, not by words but by deeds and weld together the different dominions into a unity on the basis of devotion to these ideals. Self-interest, international deconey and justice demand the establishment of self-government in India. The most urgent problem is to work out a federation not on the lines of the Government of India Act but on lines which will foster any further internal unity among the different communities and between provinces and states.

When I was a student nearly thirty years ago, we had a great faith in the ideals of science and education, democracy and peace. With the growth of science we thought pain would be conquered; with the spread of education and enlightenment, we imagined that we would banish ignorance and superstition; with the extension of democratic institutions we hoped that we would remove all injustice and move towards an earthly paradise: with the increase of humanitarian sentiments we thought wars would be abolished. We believed that we could use intelligence in our dealings with physical environment, our social institutions and our inmost selves: we assured that it was all a question of technology or engineering like control of floods or improvement of communications. Science has increased in its range and scope, education has spread widely but we are not so sure to-day that life is richer or the future brighter.

"The failure of these intellectual devices to improve our social relations has brought disappointment to the human soul. We find that the creation of ideal human relations is a different problem from the mastery of nature. The problem of living has become much more complicated and the mood in which we have to face it is not that of the self-complacent intellectual. If mankind finds itself in a mass, if things which should contribute to humanity's wealth have become an occasion for failing, it is because our conceptions of life are superficial. Human nature is not a matter of surfaces but of strata, of external experiences, of reflective consciousness, of moral and aesthetic apprehension of religious insight. Every stratum has its own life. We have diseases of the body as well as of mind. If cold and catarrh are illnesses of physical nature, if error, prejudice and falsehood are defects of our mind, lust, anger and jealousy are deformations of our heart. However much we may progress in the conquest of natural forces or in the control of social injustices, a very important part of the human problem will consist in the disciplining of our wayward desires and the achievement of an attitude of poise towards the inevitable limitations of finite existence.

"You will be able to cope with the new problems, if you have caught a little of the spirit of this place. The true significance of a city or a country as of a person lies not in its face but in its spirit, not in its geography but in its history. Here, in this city you feel the unseen presence of sages and saints who rose from time to eternity, and fashioned the destiny of a race. When your Vice Chancellor started the idea of a Hindu University, there were many who thought that he was entering into controversial regions and it would be difficult to give the students the essentials of the Hindu faith in a non-sectarian manner. The difficulty of Hinduism, as of other religions, has been the emphasis on the insignificant. We quarrel about the casual interpretations, forms and ceremonies instead of insisting on the unifying devotion to the permanent truths. The essence of Hinduism is a living faith in spirit and man's capacity to assimilate it. Rites, forms, ceremonies, institutions and programme are subordinate to this end. The central fact of religion is the felt existence within us of an abounding inner life which transcends consciousness, a secret spirit which haunts unlike a ghost or a dream. We feel certain powers moving within us, we know not what, we know not why. These vague intuitions, these faint dreams are far cries of the universal dwellings in us and the function of religion is to make our souls sensitive to the universal. In man alone does the universal come to consciousness. He alone is aware that there is a universe, that it has a history and may have a destiny. He feels most fiercely the adventure of awareness, the possibility of doom or deliverance. Religion appeals to the inward man, a stranger who has no traffic with this world. It is the core and centre of his being in which he strives to set himself in direct relations to the All. To develop the spiritual dimension we may have to withdraw our souls from the flux of existence, endure an agony of experience or travel barren and stony wastes of despair. When once this recognition arises pride, prejudice and privilege fall away and a new humility is born in the soul.

"The uninterrupted continuity of Hindu civilisation bears witness to its vitality. The vitality of a living organism is to be measured by its power to carry off the waste matter which would prevent its power functioning. When it fails to do this, it ceases to be creative, it is really dead, only a corpse. The most urgent question for Hindu Society to-day is whether it has life enough in it to overcome the obstructions within its two organism. If we try to embalm the present social structure, if we strive to defend the separatist tendencies of caste and the disabilities of the Untouchables, we will be disloyal to the spirit of Hinduism. We cannot defend an unjust order of things and praise God. Faith in the one supreme means that we, His off-spring, are of one body, of one flesh—the Brahmin and the Harijan, the black, the yellow and the white whose prayers go up to one God under different names. It is our own flesh that is torn when the shell explodes, that is pierced by the thirsting bayonet. The dignity of the individual who is the lamp of spirit become the paramount consideration, if society is to survive. I have no doubt that when the world gets together and when a creative commonwealth is projected, India would be called upon to supply an indispensable part of its design for living.

"Men, as we find them, however, are artificial products. We are made one way and society remakes us in another way. Our relationship with fellow-beings have become unnatural and artificial. We are made to feel, not that we are human but that we are Hindu or Muslim, French or German, Jew or Gentile. Our barbarous laws and institutions seduce us from our natural feelings of sympathy and fellowship. Fear, suspicion and resentment arise and wars which become each year more destructive are waged for the glory of the national abstractions of race and nation, class and creed. The world cannot permanently organise its life in an unjust and unnatural way without reaping chaos and conflict. The root cause of our present trouble is an independent world worked on a particularist basis. If moral principles are set at naught, if we are not faithful to the instinct of the common man, nemesis will overtake us.

"The world has seen a number of civilisations on which the dust of ages has settled. The jungle has conquered their great centres and jackals howl there in the moonlight. The spade of the Archaeologist uncovers for us dead cities that we may behold in them our pride and our shame. We are assured that whatever may be the changes and developments, the solid structure of Western civilisation was itself enduring and permanent, but we now see how apallingly insecure it is. The menace of war has been a writing on the wall. The present world situation is a spiritual challenge. We must either accept it or perish. It is not safe to be immortal. Evil systems inevitably destroy themselves by their own greed and egotism. Against the rock of moral law, earth's conquerors and exploiters hurl themselves eventually to their own destructions. While yet there is time, there is not much left, we must take steps to prevent the helpless rush of man to his doom.

"Democracy does not mean a dead level in character and contribution, ability and insight. It is an equality of opportunity in matters of food, health and education. It implies economic justice if we are content with anything less; democracy is a mockery. Economic justice involves a reshaping of the economic order. Capitalism is criticised from different points of view but here I may just indicate how it affects a democratic policy of life. By permitting a staggering degree of inequality with its inevitable consequences of poverty and lack of opportunity for masses of men, women and children it produces social disturbance. This inequality is morally dangerous. It encourages the privileged sections of society to live in waste and luxury with an utterly false sense of values in a callous disregard of what superior privilege means to the victims of the process which accords to them the privileges.

"The religious tradition of India justifies democracy and if she has not been faithful to this principle she has paid for it by her suffering and subjection. Spirit is never more persuasive than when it suffers silently beneath the heel of oppression. Democracy is an achievement forged in the fires which make a nation's soul. When I speak of democracy, I am referring not so much to parliamentary institutions as to the dignity of man, the recognition of the fundamental right of all men to develop the possibilities in them. The common man is not common. He is precious, has in him the power to assert his nature against the iron web of necessity. To tear his texture, to trample him in blood and filth is an unspeakable crime.

"The freedom of expression is the only way by which we can let truth work on the minds of men. If we repress freedom of speech we make truth subservient to the interests of the powerful group. The increasing regimentation of mind and the

propaganda by which we hope the people with false news and keep them ignorant of the facts even in so-called democratic countries show how parasitical groups govern in them. A free press is an essential element of a free country, but it must be a responsible press. A corrupt press will poison springs of social life.

"A new generation is growing up with a new awareness of the oneness of humanity. It understands that peace is a positive achievement, calling for high enterprise. It is aware that world peace demands world justice and the obstacles to it are in the hearts of men which have been corrupted in their pride and jealousies, in their attachment to comforts and possessions at other people's expense. National ambitions and racial passions blind us to real ends and long views. Unless we remove the sources of injustice and fear, we cannot make the world safe for peace. The history of man has been a continual struggle between the ideal of a moral community and the immoral forces of greed, stupidity and violence, individual and corporate. We must refine the spirit of patriotism so as to make it a pathway from man to mankind. A world conference to examine territorial grievances, control of raw materials and possibilities of collateral disarmament and establish the freedom of all nations, small or great, weak or strong, may be summoned and if the powerful nations approach the task in a hastened spirit and in the faith that nations like individuals are great not by what they acquire but by what they resign, we may get near our goal."

## The Punjab University Convocation

The following is the address delivered by *Sir Maurice Gwyer*, Chief Justice of India at the annual Convocation of the University of the Punjab held at Lahore on the 22nd, December 1938 :—

I propose to take for my subject this morning a comparison between the two systems of government which have come to be known as democracy and totalitarianism. I make no apology for doing so, for I am not going to talk politics. All the States of the world, willingly or unwillingly, are having to group themselves under one banner or the other; and I would ask you to consider for a few minutes with me this morning what is the essential difference between the democratic and the totalitarian State. I will try to examine the question in as impartial and unprejudiced a manner as I can; for it is not only one for the political philosophers, for those scientific inquirers who seek to define and classify the constitutions of States; it has become a question which is going to touch intimately the lives of all of us and on which we shall all have to make up our minds, whether we wish to do so or not. I am anxious to avoid political controversy, and in anything that I say I must not be taken as implying any criticism of other countries, who are entitled to prefer their own forms of government. I do not however conceal where my own allegiance lies, and those who believe in one of those two systems of government and reject the other are also entitled to testify to the faith that is in them; and indeed a faith which a man is ashamed to proclaim openly is scarcely one worth having.

It is a commonplace that we are the unfortunate and alarmed spectators. Those who, like myself, begin to see the threshold of age not so very distant from them, cannot but contrast with amazement the last fifteen years with the earlier and longer portion of their life. It is not easy, casting the mind back to a period even as late as 1923, to recall to-day the political scene of that time. Then democracy and democratic ideas were still in fashion. The War had been fought, and, whatever people may say at the present time, had been fought with the sincere and passionate belief that it was to make the world safe for democracy. The worst part of the post-War economic crisis was over, and the world seemed about to enter upon a stable and reasonable prosperity in which the typical political unit was the democratic State. I do not deny that there was a critical attitude towards representative institutions in many countries, but it is not unfair to say that these criticisms were directed rather against the working of the institutions than against the institutions themselves. For democracy was still regarded as the normal object of constitutional development. The Russian Government, it is true, disclaimed any sympathy with democratic ideas

in the liberal sense ; but Russia, whether by reason of its geographical position or the peculiar temperament of its people, had always stood on the edge of the European orbit. In 1923 the Fascist revolution in Italy was not a year old and was probably regarded by most people as a temporary aberration on the part of a country which had always shown a remarkable partiality for the conceptions of government favoured by the Western democracies. The general confidence felt in the political future of Europe is well shown by an article written in the 1926 edition of the *Encyclopedia Britannica* by an eminent Professor of Political Theory and Institutions, who speaking of the years 1910-26, used these words :—"Thus this period has brought forth important developments in international, federal, national and local governments. It will stand out also as one in which the nations have been coming nearer to one another in constitutional thought and in forms of governments.

To-day how different is the scene ! There has been a profound revolution in political thought throughout Europe and the course of that revolution is perhaps not yet run. Everywhere the democratic idea is seen to be on the defensive ; and not only its existence but its philosophical basis, which to most of us had almost acquired the sanctity of a theological dogma, is challenged and flouted. It is true that the language and phrases of democracy are still current, and it would almost seem as though the modern dictator thought it worth while to attempt to persuade the world that his new-fangled system represented a more vital type of democracy than that which the old-fashioned liberalism had so signally failed to keep alive. We still find elections and representative assemblies in the totalitarian States which are declared to be far more representative of the popular will than any democracy could be ; and though for obvious reasons it is impossible to test the truth of the assertion, it may nevertheless be true that it was the machinery of representative government itself which brought the totalitarian State into existence. But it was never more necessary than to-day to look more closely at the facts for the purpose of discovering the substance which lies behind the outward forms of government. It was only a little time ago that one totalitarian State introduced, amid much popular rejoicing and with a great deal of what in other branches of life is known as publicity, an ultra democratic constitution ; but there was a notable decrease of enthusiasm when it was discovered that only approved members of the party in power were permitted to offer themselves as candidates at the first elections to the new representative assemblies.

It is not then so much the forms of government which have changed as the spirit in which government is now carried on and regret it as we may it is scarcely an exaggeration to assert that the typical form of government in Europe has become the totalitarian State. This form of government is self-confident, aggressive, and menacing ; and at the present moment the clash between the democracies and totalitarianism is the main pre-occupation of international politics. The immediate consequences of this clash of ideologies, to use the current term, are manifest enough ; but its potentiality for evil is greater still. There were in Europe before the War both democracies and military empires but that did not prevent the existence of a distinctively European civilization, in which all the States in Europe felt they had a share. The general tendency too was towards representative institutions, and lip-service was always done to the principle of democracy, however much the military empires might diverge from it in practice. To-day no one would have the hardihood to assert that there is still a single and indivisible European civilization. The lines of cleavage are too wide and too deep ; and it has become less and less probable that the two systems can continue to co-exist in the same continent. In theory perhaps there is no reason why this should be so ; but the principles which the totalitarian States profess and the policy which they follow make it inevitable that their economy should be on a war footing. I do not at all mean by this that their one and only purpose is war, but that their political system is such that it can only be carried on and made effective if the nation as a whole is organized as it would be organised in time of war. A moment's reflection will show that this must be the case ; for in no other way could a State regulate in such detail the social and economic life of its citizens, in no other way could it prevent the infiltration for foreign ideas possibly hostile to the regime, and in no other way could it mould and determine public opinion. And it is here that great danger lies ; for a State organization whenever a conflict between itself and another nation less well-equipped and prepared becomes acute. Ordinarily the passage of a nation from peace to war

will not be accomplished without a profound convulsion; but in the case of a nation constantly organized as though for war, the passage from one stage to the other may be almost imperceptible.

What then is the essential difference between the democratic and totalitarian State? A statesman, a politician, a constitutional lawyer, a man of affairs would perhaps each give a different answer to this question and each answer would no doubt have in it an element of truth. To enumerate all the differences between them would involve me in a discussion which would extend far beyond my limits of time this morning; but if we look behind the outward form and try to penetrate to the heart of the matter, I think that we shall find certain points which can be regarded as of primary importance.

The first is the existence in the democratic State of the rule of law. The second is the right in that State to hold and to express one's own opinions and beliefs. And the third is this that a democratic system of government in one of which is the personality of the individual man and woman, whereas the other system is based upon the conception of a State as an organization apart from and superior to the individual men and women who compose it, demanding from them complete and uncomplaining subjection, asserting all rights and conceding none. Let me say a few words about each of these.

The basis of all democratic government, the true guarantee of the safety and happiness of the individual citizen, the greatest safeguard against tyranny and tyrants, is the rule of law. Now the rule of law means in the first instance a state of things in which all men are equal before the law, so that none can claim from a judge any rights or privileges other than those which the law gives him and cannot point to rank or wealth or privilege as entitling him to something which cannot equally be claimed by his fellow-citizens. But it means a good deal more as well. It means that cases are judged and decided according to a fixed and defined law and not according to the whim or fancy of the individual judge. There are many lawyers present here today, and they know only too well that the existence of the rule of law does not, and cannot, make the law always a certain thing. The reason for that is the immense complexity of human affairs, so that it is not always easy to know what the particular legal principle is which has to be applied in order to arrive at the correct solution of a dispute. But that does not mean that the legal principle itself is in any doubt; it is the application of the principle which causes the difficulty; and that is why in all civilized States the legal profession is a necessary part of the machinery of the State and has almost as important a share in the administration of justice as the judges themselves. We may regret that this attempt to secure a more perfect justice has made the attainment of justice more expensive than it ought to be. But let me quote here a passage which occurs at the end of Gibbon's famous chapter on the history and principles of the Roman law. "The experience of an abuse from which our own age and country are not perfectly exempt may sometimes provoke a generous indignation, and extort the hasty wish of exchanging our elaborate jurisprudence for the simple and summary decrees of a Turkish cadhi. Our calmer reflection will suggest that such forms and delays are necessary to guard the person and property of the citizen, that the discretion of the judge is the first engine of tyranny, and that the laws of a free people should foresee and determine any question which may probably arise in the exercise of power and the transaction of industry.

I invite your attention to that pregnant phrase: "the discretion of the judge is the first engine of tyranny" that is to say, a tyrant cannot afford to allow all cases without exception to be decided according to fixed principles of law; there comes a point when the judge must be allowed a free hand. And it is a necessary corollary that the judge must be a man in sympathy with the Government, because no totalitarian State can admit the possibility of any State official who differs from the declared policy of the State, much less one who criticizes it. The judge must therefore reflect the policy of his masters. I have even read a speech of a Minister of Justice in one of the States in which it was said to be the duty of every judge to decide the cases coming before him as he knew the dictator would wish to have them decided. There is no room here for the rule of law. Where the judge is in doubt, he must decide; as he knows. The Government would wish him to decide; and if he is trying an opponent or a critic of the Government, what security has the latter that he will have a fair trial?

But, you will say, supposing the judge is completely independent and bound by the rule of law, must not his administration of a harsh or cruel code for that very reason be itself cruel? And, if so, may not your just and inflexible judge become himself almost an engine of tyranny? That is a criticism which requires to be answered, but I think that the answer is plain. An independent and independent-minded judge cannot indefinitely continue to administer unjust law without becoming critical of them; and if they appear to him unjust in the sense that they shock his conscience, he will find ways of mitigating them. So in England at the beginning of the last century, when it was a capital offence to steal property over the value of 40 shillings, jurymen whose consciences were offended by the law did not shrink from returning a verdict that the property stolen, whatever its real value might be, was worth not more than 39 shillings. In this way the independent judge, however cruel and harsh the laws may be which he has to administer, does ultimately become the focus of criticism and reform; and the rule of law, if it is given free play, will always in the last resort defeat a dictator. And it is for that very reason that no totalitarian country can at the present time afford to allow the rule of law to exist in the State. I do not for a moment mean to say that there are no upright judges in these countries, able and willing to decide all ordinary cases with the strictest regard for law and justice; I am referring rather to cases which have what I may call a political flavour; and I do not need to say that those are the cases which may most nearly affect the lives and fortunes of citizens who become involved in them.

Thus you see the importance of maintaining and strengthening the rule of law. Do not believe those who say that it is a hindrance to progress and who are anxious to take a short cut to the millennium. Where popular liberties are concerned, a short cut will be found every time to be the longest and most dangerous way round.

The second thing is the right to hold to express one's private opinions and beliefs. In some ways this is bound up with the rule of law. For here again the totalitarian State cannot, if it is to survive, allow the public expression of any opinion contrary to that held by those for the time being in control of the machinery of government. They must present to the outside world a single front which they can claim to represent the opinion of the whole country. Think for a moment how far a policy of this kind must lead you. If there is to be only one opinion expressed, every source of a possible contrary opinion must be rigidly controlled. One doctrine must be taught in the schools and in the Universities. The press must speak with one voice only; and for those who seek to criticize in private, there must be the prison or the concentration camp. In no other way can the regime survive. That is on the negative side; but the positive side is no less drastic. It necessitates a complete control of the young at the most impressionable ages in their lives and it embraces all the malignant and ignoble arts of the propagandist whose business it is to compel the people at large to believe that which the Government insists that they shall believe, to feed them with coloured and distorted news, and to dress up truth herself in the trappings of a harlot.

It is strange that governments are to be so expressive of the popular will, should find it necessary to prevent their people, so far as possible, from coming into contact with public opinion elsewhere. But is there not here a lesson for all democratic States? For a democracy ought at all times to have the courage to hear the truth just as a democratic leader ought always to have the courage to tell it. And this alone should be sufficient to distinguish between the two systems; for truth is in the long run the only effective propaganda and there is an astringent and tonic quality about it which vitalizes those who are strong enough to have it, whereas the other propaganda is like a drug which first intoxicates and then stupefies.

Lastly, I come to that distinction between the two systems which is based on a conception of the State which recognizes the personality of the individual and not on the State as something apart from and superior to the individuals who compose it.

We have men always organized themselves into political societies? Was it not in the first instance for common defence and protection, and with defence and protection once secured, did not the advantages of mutual cooperation, whether social, political or economic then become manifest? But this is only to say that mankind is the parent of the child, civil society; and the conception of a State as some-

thing superior to the citizens who compose it is of comparatively modern growth and has no historical justification whatever. We owe duties, it is true; but we owe them to our fellow-citizens. We can be called on to contribute with our property and even with our lives for the safety of the community in which we live; but it is our fellow-citizens who call upon us, just as we have the right to call on them. We respect their personality, as we expect them to respect our own; and we assert no rights against them which we are not willing to concede ourselves.

This conception of a polity of men united in the fruition and performance of mutual rights and duties, each regulating his conduct by a due regard to the interests of his neighbour, is now looked upon as an anachronism and a folly; and its place is to be taken by the more grandiose conception of the omnipotent and infallible State. I confess that I find this a very dreadful thing. An organism which owes no duties to any but itself can recognize no rules other than its own desires as binding upon it in its dealings with either its own citizens or with other national organisms. And this is indeed the claim which is made, that rules of morality binding between man and man have no application in the case of the State. It need cause us no surprise that in places where doctrines of this kind prevail the personality of the individual is no longer of any account and that pity and mercy are regarded with contempt as relics of a by-gone and effeminate age. And then in the relations between State and State is it not a necessary corollary that force is the only arbiter? Such are the doctrines openly proclaimed by nations who but a few years ago solemnly subscribed an international undertaking to reject forever war as an instrument of policy.

A little reflection will show the extreme convenience to those who maintain it of the doctrine of the omnipotent States. For when all is said and done, what does it mean? The State is for this purpose no more and no less than the party or group who for the time being are in control of the machinery of government and of all the resources of the State itself. It gives them as it were a philosophical justification for their own existence and for continuing to do what seems good to them; and their claim to be the mouthpiece of the State effectually conceals the fact that they are in truth the mouthpiece of the party in power.

Nothing, it is said, succeeds like success: and there can be no doubt that the apparent success of some of the totalitarian States in more than one field of human effort has attracted to them a great deal of admiration, followed sometimes by that imitation which is believed to be the sincerest flattery. I do not deny that some of the results achieved have been very considerable, at what cost of human suffering and misery it would perhaps be well not to inquire. But I have tried this morning to put before you the other side of the picture and you must ask yourselves the question whether these materials and sometimes brilliant successes have not been purchased at too high a price. It may be that they will give the ordinary citizen complete security from external danger together with the means, if he cares to use them, of being a perpetual source of apprehension to his neighbours; but to achieve this he must abandon the rule of law and he must no longer claim the right to express what opinions he will. But, you may say can we not achieve the same security and still retain those privileges which we have been taught to hold so dear? And to this the answer would be that it is in your power to achieve it, but that like other valuable things it is not to be achieved without an effort. Think for a moment of the conditions which rendered the rise of totalitarian States not only possible but even probable. A distracted country, torn by faction and class struggles, and lacking firm and disinterested leadership, must always be fruitful soil for the growth of those doctrines which I have described to you this morning. For in such circumstances the ordinary citizen, harassed on every side, readily becomes a prey to despair, and welcomes at length anyone who can promise him peace and order, even at the price of his liberty. I have met many men from these countries who heartily disliked and were ashamed of much of the policy of the regime under which they were living; but one and all were emphatic that what they had been rescued from was worse.

The lesson is there for all to read; and the democracies, if they wish to escape the fate that has befallen democracies, must by timely action afford the ordinary citizen no excuse for seeking elsewhere a remedy for evils which democracy may have shown itself unable to cure. The totalitarian States have produced their results by blood and iron. Is it to be said that the democratic States cannot achieve by a voluntary and cheerful discipline that which elsewhere has only been achieved by

compulsion? If they cannot, they deserve to fail and they will not long maintain their position in the world against a formidable and efficient opponent.

The menace to the liberty of the world is a very real one. It is not to be countered by a parade of democratic principles and the passing of resolutions. Action must be met by action; and the democracies of the world will only survive if they are able to convince the average man that they can give him a better deal than the totalitarian States. For myself, I think that if the question is fairly put to him his answer will not be in doubt.

The readjustments which the democracies will have to make if they are to stand up successfully to this danger which threatens them are likely to be considerable, but I see no escape from them. First and foremost we have to make certain of our security so that we may not feel that we are living our lives on sufferance and enjoying only such liberty as other States may see fit to allow us. We may have to submit to a good deal more of discipline than we have been accustomed to or than we may find agreeable; but it will be a discipline voluntarily assumed by free men and not forced upon us from without. And behind this bulwark against external aggression we shall have to remove, as far as possible, those causes of discontent which sometimes tempt a man to sell his birthright for a mess of pottage and which are the real and most effective weapons which fortune can put into a would-be dictator's hand.

Next, we shall have to undertake the task of re-stating our fundamental principles in the light of the new conditions. We must above all things hold fast the rule of law, but we must see that its application does not afford even a plausible excuse for those who are always ready to criticise the law as laying a dead hand upon human progress, and lawyers as caterpillars of the commonwealth rather than as ministers of justice. So also with the right to express our own opinions and beliefs. This right is never an absolute one, since it must always be conditioned by considerations of public order and tranquility on the one hand and the right of our fellow-citizens to have their character protected against defamation on the other. But it may also become necessary for us to submit voluntarily to certain further restrictions on the right of public discussion, whether in the press, in the Legislatures or in public meetings, principally, I think, in order to secure greater efficiency and more rapid action in the conduct of public affairs, but also to prevent the accentuation of points of difference between one interest and another and the exacerbation of public sentiment by those who see profit to themselves in intestinal faction. You will not, I hope, misunderstand me when I say this. I am not suggesting a system of censorship or the suppression of free speech. I have rather in mind a greater measure of self-control and self-restraint imposed by a self-denying ordinance on themselves by men who take part in the government of democratic countries, by those whose duty and function it is to constitute an opposition to government by those who seek legitimately to form and influence public opinion.

Then as the complement of this voluntary discipline which I have assumed that the ordinary citizens will be prepared to impose upon themselves, they are entitled to require from the leaders to whom they have given their confidence an unselfish and upright administration of the affairs of the community. They will expect these men to assume the burden of responsibility themselves and not to shift it on to the shoulders of others, in other words, to be leaders and not mere agents; and above all they will expect their leaders to tell them the truth, however difficult and unpleasant it may be. This ought, as I have already said, to be the distinguishing mark of a democracy, that it can bear to hear the truth.

If this analysis which I have attempted is correct, you will see that the pivot of all democratic systems must be the ordinary citizen, and that is what I meant when I said that a democracy is a system of government based upon the personality of the individual. It is the ordinary citizen who chooses his leaders and puts his trust in them; and the leader themselves are chosen from the ranks of the ordinary citizens and are held accountable to them. But this conception of government exacts a very high standard of conduct from the ordinary citizen, if it is to work out successfully in practice. Those of you here today who are lawyers know well how constantly the law adopts as a standard and criterion the views of that national individual whom it calls the reasonable man. And just as with the progressive advance of civilization and of our ideas of duty and obligation, the standard implied by the test of the reasonable man is constantly rising, so too our

conception of a good citizen ought to advance with each successive generation ; and the higher the average standard in a democratic country the more closely will that country approximate to the democratic ideal.

I purposely say nothing of forms of government, for that might lead me into a political discussion, which it is my duty to avoid. I do not say that I attach no importance to forms of government, for I do ; but this is not the place in which it would be right for me to talk about them. But I do attach an even greater importance to spiritual liberty and freedom. That is a thing which transcends all politics, and judges like other men are entitled to express their opinion upon it. And it is here that we shall find the ultimate test of democracy :—will the ordinary man put such a value upon his spiritual freedom as to be willing to make it a breaking point between himself and totalitarianism ?

You who are saying good-bye to your University to-day have a great responsibility laid upon you for the maintenance in the public life of the Province of those high standards of conduct which it should be one of the main functions of a University to foster. An English Prime Minister of the last century, speaking of his own University, used words which I should like to repeat to you : "If I am to look back upon the education there as it was, it taught the love of truth, it provided men with those principles of honour which were nowhere perhaps so much required as amid the temptations of political controversy. It inculcated a reverence for what is ancient and free and great". And then he went on to say that perhaps it was his own fault, but that he did not learn during his University days that which he had learned since to set a due value on the imperishable and the inestimable principles of human liberty. I think that to-day a University which teaches the love of truth and the principles of honour, and which includes a reverence for what is ancient and free and great, is teaching its students at the same time to set the highest value on human liberty, even though no reference to human liberty occurs in its studies. For human liberty is bound up with the love of truth, the principles of honour, and reverence for what is free and great. These are no new things to the free and virile people of this Province. They have long known them, practised them, and fought for them. You will have to carry on the same tradition ; and if you carry into your public and private lives that chastity of honour of which Edmund Burke has spoken in a passage known to all, you will do the greatest possible service to democracy. You will elevate political life, you will know corruption in public affairs for the foul thing it is, and you will by the best of all arguments, your own example, prove to your fellow-citizens that democracy can look a dictatorship in the face and not be ashamed.

Nearly four centuries ago a great Queen visited my own University of Oxford and we are told that when she said farewell she uttered a prayer that God might bless it and increase its sons in number, holiness and virtue. I hope that I may without presumption make use of her words here today, and I pray that the University of the Punjab may ever continue to be the fruitful mother of yet more happy children.

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